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HOUSE JOURNAL

OF THE

Twentieth Legislative
Assembly

OF THE

STATE OF MONTANA

Held at Helena, the seat of Government of Said State,
commencing January 3rd, 1927, and
ending March 3rd, 1927

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OFFICERS AND MEMBERS

OF THE

20th Legislative Assembly of the State of Montana

Governor, J. E. ERICKSON

Lieutenant Governor and President of the Senate, W. S. McCORMACK

Speaker of the House, G. T. DAVIS

STATE SENATORS

NAME	Residence	County	Politics
Bergstrom, Ted	Willard	Fallon	Democrat
*Brownlee, Robert	Big Timber	Sweet Grass	Republican
*Buttelman, William H.	Willow Creek	Gallatin	Democrat
Campbell, John L.	Missoula	Missoula	Republican
Campbell, J. S.	Reed Point	Stillwater	Democrat
*Church, W. R.	Helena	Lewis & Clark	Democrat
Cooper, Geo. R.	DeBorgia	Mineral	Republican
*Corrington, G. H.	Ryegate	Golden Valley	Republican
*Cowan, William T.	Box Elder	Hill	Republican
*Delaney, F. W.	Terry	Prairie	Democrat
*Dell, Frederick T.	Joplin	Liberty	Democrat
Donovan, Louis P.	Shelby	Toole	Democrat
Dowlin, Chas. M.	Forsyth	Rosebud	Republican
Duncan, M. M.	Virginia City	Madison	Democrat
Eaton, Ernest T.	Polytechnic	Yellowstone	Republican
Garber, J. D.	Plains	Sanders	Democrat
*Gilboe, Christian F.	Valier	Pondera	Republican
Goodman, E. H.	Townsend	Broadwater	Democrat
*Green, John A.	Vida	McCone	Democrat
*Greenup, L. F.	West Fork	Daniels	Republican
†Griffin, James	Chinook	Blaine	Republican
*Hazelbaker, Frank A.	Dillon	Beaverhead	Republican
*Henderson, W. C.	Jordan	Garfield	Republican
Joffray, E. N.	Clancy	Jefferson	Democrat
Johnson, Albert	Denton	Fergus	Republican
Kane, Thomas	Corvallis	Ravalli	Republican
Kemmis, Walter D.	Sidney	Richland	Republican
Kennedy, John D.	Philipsburg	Granite	Republican
Larson, T. O.	Choteau	Teton	Republican
*Linn, C. A.	White Sul. Sprgs.	Meagher	Republican
*McCabe, F. A.	Blackfoot	Glacier	Republican
*McCone, Geo.	Glendive	Dawson	Republican
*McCormick, F. T.	Roundup	Musselshell	Republican
McQuitty, I. S.	Harlowton	Wheatland	Democrat
Mears, John L.	Geyser	Judith Basin	Republican
*Paul, W. J.	Deer Lodge	Powell	Republican
Pauline, Robert	Kalispell	Flathead	Republican
Pomeroy, H. G.	Eureka	Lincoln	Republican
Porter, S. H.	Big Sandy	Chouteau	Democrat
**Richardson, Ervin A.	Crow Agency	Big Horn	Republican
Ruffcorn, William M.	Glasgow	Valley	Republican
*Schnitzler, J. W.	Froid	Roosevelt	Republican
†Scofield, John L.	Biddle	Powder River	Republican
*Shelver, Harry M.	Livingston	Park	Republican
Sibbert, Henry N.	Winnett	Petroleum	Republican
*Smith, H. C.	Miles City	Custer	Republican
Spencer, J. T.	Bridger	Carbon	Republican
Staggs, W. L.	Wibaux	Wibaux	Republican
*Stewart, T. P.	Anaconda	Deer Lodge	Republican
*Survant, John	Malta	Phillips	Republican
*Swift, Charles R., Jr.	Hysham	Treasure	Republican
Taylor, Charles E.	Plentywood	Sheridan	Farmer-L.
*Tower, Ralph R.	Polson	Lake	Republican
Walker, T. J.	Butte	Silver Bow	Democrat
Wheeler, Leon L.	Ekalaka	Carter	Republican
Wuerthner, Julius J.	Great Falls	Cascade	Republican

FRANK CONE, Secretary.

*Holdovers, elected in 1924.

**To fill vacancy created by death of Senator Peden.

†Elected to succeed himself, for unexpired term of two years.

‡Deceased March 9, 1927.

House of Representatives—20th Assembly, 1927

NAME	Residence	County	Politics
Abrahamson, John C.	Roberts	Carbon	Democrat
Adair, Hugh R.	Helena	Lewis & Clark	Democrat
Akofer, Chas. A.	Valier	Pondera	Democrat
Arnold, S. C.	Broadview	Stillwater	Republican
Ballard, W. T.	Butte	Silver Bow	Democrat
Benjamin, H. E.	Shelby	Toole	Democrat
Benson, Ben N.	Medicine Lake	Sheridan	Republican
Barry, George	Butte	Silver Bow	Democrat
Besancon, Albert	Missoula	Missoula	Democrat
Bonine, G. J.	Havre	Hill	Democrat
Bretzke, Lou E.	Glasgow	Valley	Republican
Bricker, R. C.	Windham	Judith Basin	Republican
Brown, W. A.	Great Falls	Cascade	Democrat
Budas, Albert	Roberts	Carbon	Republican
Burke, Ed.	Anaconda	Deer Lodge	Democrat
Burns, Harry L.	Harlem	Blaine	Republican
Cavanaugh, Miles J.	Butte	Silver Bow	Republican
Chatham, Jas. F.	Butte	Silver Bow	Democrat
Cheadle, Edwin K., Jr.	Lewistown	Fergus	Republican
Clarke, Walter E.	Forsyth	Rosebud	Republican
Clausen, C. C.	Livingston	Park	Republican
Cooney, E. H.	Great Falls	Cascade	Republican
Curran, Mrs. Lucy A.	Poplar	Roosevelt	Republican
Darlington, G. W.	Bozeman	Gallatin	Republican
Davis, G. T.	Charlyle	Wibaux	Republican
Dellwo, Dennis A.	Charlo	Lake	Democrat
Donaldson, Harry C.	Fort Benton	Chouteau	Republican
Doran, Tod	Butte	Silver Bow	Democrat
Dougherty, Ralph	Grantsdale	Ravalli	Republican
Dunn, Robert J.	Bozeman	Gallatin	Republican
Erickson, L. N.	Lavina	Golden Valley	Republican
Foot, E. B.	Kalispell	Flathead	Republican
Flachsenhar, W. R.	Terry	Prairie	Republican
Fulsher, Dr. Fred R.	Saltese	Mineral	Democrat
Goodwin, Phil C.	Butte	Silver Bow	Democrat
Green, Andrew	Lewistown	Fergus	Republican
Green, H. R.	Lindsay	Dawson	Republican
Gustafson, Geo. W.	Chinook	Blaine	Republican
Hagerty, Dan F.	Browning	Glacier	Democrat
Hardcastle, Ernest A.	Butte	Silver Bow	Democrat
Harris, Orville	White Sul. Sprgs.	Meagher	Republican
Hodgskiss, J. E.	Choteau	Teton	Republican
Holton, Albert	Cohagen	Garfield	Republican
Jameson, W. J., Jr.	Billings	Yellowstone	Republican
Jensen, S. R.	Great Falls	Cascade	Democrat
Johnson, Elmer	Glasgow	Valley	Republican
Jones, Dudley	Dodson	Phillips	Republican
Jones, Harry C.	Hamilton	Ravalli	Republican
Jones, Hugh M.	Great Falls	Cascade	Republican
Kelly, Pat A.	Butte	Silver Bow	Democrat
Knight, J. B. C.	Anaconda	Deer Lodge	Republican
Knowles, S. H.	Boulder	Jefferson	Republican
Kroman, Chas. L.	Miles City	Custer	Republican
Lamb, Edwin M.	Butte	Silver Bow	Democrat
Larson, Robert	Dagmar	Sheridan	Farmer-L.
Leavens, Robert	Billings	Yellowstone	Republican
Leavitt, W. B.	Miles City	Custer	Republican
Lillis, B. C.	Billings	Yellowstone	Republican
Logan, E. U.	Billings	Yellowstone	Republican
Lowry, R. B.	Baker	Fallon	Democrat
McCleary, Frank	Red Lodge	Carbon	Democrat
McLeod, Ralph L.	Philpsburg	Granite	Republican
Marshall, M. R.	Missoula	Missoula	Republican
Mason, George	Helena	Lewis & Clark	Democrat
Merritt, Clarence	Roundup	Musselshell	Republican
Miller, N. O.	Roy	Fergus	Republican
Miller, Timothy	Libby	Lincoln	Democrat
Moss, G. M.	Whitefish	Flathead	Republican
Moulton, B. F.	Grass Range	Fergus	Republican
Mulholland, M. J.	Butte	Silver Bow	Democrat
Murphy, Charles F.	Anaconda	Deer Lodge	Democrat
Nagle, Raymond T.	Helena	Lewis & Clark	Democrat
Nelson, Ben	Malta	Phillips	Republican
Nelstead, T. E.	Ekalaka	Carter	Republican
Nicholson, Stuart H.	McLeod	Sweet Grass	Democrat
O'Day, R. S.	Great Falls	Cascade	Democrat
Plank, Leonard	Chester	Liberty	Democrat
Plumer, A. J.	Hysham	Treasure	Democrat
Prescott, C. R.	Missoula	Missoula	Democrat

HOUSE OF REPRESENTATIVES—Continued

NAME	Residence	County	Politics
Reed, Grant	Townsend	Broadwater	Republican
Rife, Frank	Armstead	Beaverhead	Democrat
Rockwood, J. E.	Kalispell	Flathead	Republican
Rognlien, I. D.	Kalispell	Flathead	Democrat
Rorvik, Elias	Watkins	McCone	Republican
Ryder, Arthur	Froid	Roosevelt	Republican
Sample, H. A.	Glendive	Dawson	Republican
Shields, Ed.	Great Falls	Cascade	Democrat
Sparling, James T.	Flaxville	Daniels	Farmer-L.
Stambaugh, Guy	Deer Lodge	Powell	Republican
Steeves, M. D.	Livingston	Park	Republican
Sutton, E. F.	Winnett	Petroleum	Republican
Thorburn, William B.	Harlowton	Wheatland	Republican
Throssel, Richard	Billings	Yellowstone	Republican
Tierney, Wm. P.	Paradise	Sanders	Democrat
Tinsley, Basil	Pony	Madison	Democrat
Troy, T. J.	Havre	Hill	Republican
Waite, W. T.	Broadus	Powder River	Republican
Warren, W. E.	Hardin	Big Horn	Republican
Westlake, A. E.	Bozeman	Gallatin	Democrat
White, Arthur	Savage	Richland	Republican
Willard, Asa Dr.	Missoula	Missoula	Republican
Woodcock, John W.	Fort Benton	Chouteau	Democrat

H. J. FAUST, Chief Clerk.

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	<p>irement board for the administration of such system; fixing the membership thereof and providing retirement allowances thereunder; establishing certain funds for the administration of said system and providing for the securing of the moneys, income, and revenue for the maintenance of such funds; and providing for the discontinuing of the retirement system established by Sections 113 to 1132 of the Revised Codes of 1921.".....</p>	<p>137, 140, 161, 164, 214.</p>
138	<p>A Bill for an Act entitled: "An Act to amend Section 3524 of the Revised Codes of Montana of 1921, to provide for the firing of shots whenever necessary in mines, where the coal is loaded out by any mechanical means, or where new methods of mining are being developed that require shooting more than once per shift."</p>	<p>138, 145, 172, 208, 211, 215, 241, 339, 341, 357, 359, 430.</p>
139	<p>A Bill for an Act entitled: "An Act to amend Section 3504 of the Revised Codes of Montana of 1921, so as to increase the maximum distance between crosscuts, where mechanical means of loading coal or driving entries are employed, or where local mechanical methods of ventilation are installed."</p>	<p>138, 146, 172, 208, 211, 215, 241, 339, 341, 357, 359, 430.</p>
140	<p>A Bill for an Act entitled: "An Act to amend Section 1632 of the Revised Codes of Montana of 1921, relating to inspection of highways and construction work by Boards of County Commissioners and compensation therefor."</p>	<p>138, 219, 269, 288, 289, 293, 294, 295, 302, 321, 516, 519.</p>
141	<p>A Bill for an Act entitled: "An Act to amend Section 4462 of the Revised Codes of Montana of 1921 relating to time of regular meetings and extra sessions."</p>	<p>138, 219, 269, 288, 289, 293, 294, 295, 303, 321, 516, 519.</p>
142	<p>A Bill for an Act entitled: "An Act to amend Section 4464 of the Revised Codes of Montana, 1921, relative to the compensation of members of the Board of County Commissioners."</p>	<p>138, 219, 258, 288, 293, 294, 295, 303, 322, 516, 519.</p>
143	<p>A Bill for an Act entitled: "An Act to amend Chapter 140 of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana, relating to declaring abandoned horses running at large upon the open range in the State of Montana to be a public nuisance; defining "abandoned horse": defining "open range"; condemning abandoned</p>	

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	horses running upon the open range; providing for roundups and for sale and other disposition of abandoned horses taken up in such roundups; providing for reclamation of any abandoned horse by its owner; providing for the taxation of abandoned horses; and providing for notices and procedure.".....	138, 144, 172, 208, 221, 225, 256, 265, 283, 300, 311, 318, 338, 358, 382, 387, 411, 430.
144	A Bill for an Act entitled: "An Act to amend Sections 256, 257, 258 and 259, Montana Revised Codes of 1921, relating to contracts by the Board of Examiners for supplies; also for the construction of buildings and the repair and improvement of buildings and grounds, advertising for proposals therefor, contents of notice, and method of awarding contracts."	138, 235.
145	A Bill for an Act entitled: "An Act to amend Section 2114 of the Revised Codes of Montana of 1921, relating to the powers of the County Board to equalize assessments and providing for a time for hearing upon said assessments and notice to the taxpayer of the decision of said County Board after such hearing."	138, 235, 281, 318, 335, 353, 401, 446, 448, 474, 495.
146	A Bill for an Act entitled: "An Act authorizing Wilsie M. Cramer to file with the State Board of Examiners as a deficiency claim against the State of Montana for payment to him of moneys due him for the purchase price of land and water right deeded by him to the State of Montana, for an easement, water rentals, damages and interest accrued on the amount due him and authorizing the State Board of Examiners to hear, audit and determine the said claim of Wilsie M. Cramer and authorizing the State Auditor to draw his warrant upon the State Treasurer in payment of such amount as allowed by the State Board of Examiners, and appropriating money in payment of such claim."	139, 234, 281, 318, 335, 354, 461, 469, 480, 508, 509, 536.
147	A Bill for an Act entitled: "An Act to amend Section 1281 of the Revised Codes of Montana, 1921, relating to the levy for high school purposes in counties not maintaining a county high school."	141, 309, 346, 363, 371, 379, 411, 518, 531, 540, 563, 575, 577, 600.
148	A Bill for an Act entitled: "An Act to provide for the security of deposits in banks organized and existing under the laws of Montana, creating the	

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	Bank Depositors Guarantee Fund, the Bankers' Administration Fund and the Bankers' Conservation Fund of Montana and providing regulations therefor; creating the Guarantee Fund Commission of Montana; regulating receiverships and providing penalties for the violation of this Act."	144, 344.
149	A Bill for an Act entitled: "An Act to amend Section 8897 of the Revised Codes of Montana, 1921, by prescribing the number of names to be included in the jury list."	147, 150, 187.
150	A Bill for an Act entitled: "An Act for the protection of the forest and forest lands within the State of Montana and to repeal Sections 2765, 2771, 2772 and 2773 of the Revised Codes of Montana and all other Acts and parts of Acts in conflict herewith,"	147, 150, 235, 281, 318, 359, 364, 461, 480, 498, 500, 520, 524.
151	A Bill for an Act entitled: "An Act to amend Chapter 254 of the Revised Codes of Montana 1921 by adding one section thereto to be known as Section 3566A relating to eradication of bee diseases by counties."	147, 187, 211, 233, 246, 250, 264, 373, 377.
152	A Bill for an Act entitled: "An Act authorizing the Attorney General to call an annual conference of County Attorneys."	149, 181, 201, 217, 221, 225.
153	A Bill for an Act entitled: "An Act to provide for the assessment and collection of a dog license tax. fixing license fees, providing for tags, giving authority to killing livestock destroying dogs, damage action, how tried, proof, charges how paid. payment of damages not to bar civil action, witness fees how paid. cities and towns having license ordinances exempt; penalty for violation of this Act."	149, 258.
154	A Bill for an Act entitled: "An Act to amend Chapter 23 of the Revised Codes of Montana relating to the custodian of records of Grand Army of Republic."	149, 164, 186, 208, 221, 225, 256, 482, 498, 500, 511, 513.
155	A Bill for an Act entitled: "An Act to amend Sections 8383 and 8384 of the Revised Codes of Montana of 1921, relating to agisters' liens and liens for service in relation to personal property."	149, 200, 246, 261, 281, 289, 338, 342.
156	A Bill for an Act entitled: "An Act to amend Section 4549 of the Revised Codes of Montana, 1921, relating to appropriations and tax levies for county	

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	fairs and the purposes for which same shall be used."	149, 219, 269, 288, 289, 295, 303, 322, 340, 349, 374, 440, 444, 463, 477.
157	A Bill for an Act entitled: "An Act amending Sections 3654, 3683, 3689, 3691, 3734, 3736 of the Revised Codes of Montana of 1921. Sections 3703, 3722, 3723, 3730, 3731, 3732, 3742, of the Revised Codes of Montana of 1921, as amended by Chapter 77, Laws of the Eighteenth Legislative Assembly, State of Montana, 1923, and Sections 3655, 3656, 3661, 3665, 3681, 3682, 3685, 3694, 3696, 3700, 3701, 3704, 3725, 3733, of the Revised Codes of Montana of 1921, as amended by Chapter 192, Laws of the Nineteenth Legislative Assembly, State of Montana, 1925, relating to compensation of members of Fish and Game Commission; appointment, qualification, duties and salary of State Fish and Game Warden; rating, removal and salary of deputy fish and game wardens; salary of Superintendent of State Fisheries; definitions of terms used; license requirements; classes of license; fees and powers under licenses; carrying and exhibiting license; exceptions in the application of the provisions of this Act; restrictions on the manner of taking fish and game; open and closed seasons for elk; open and closed seasons for grouse; closed season and bag limits of migratory game birds; closed and open seasons for fur-bearing animals; protection of beaver and beaver license; possession, sale and transportation of wild birds; possession of dead bodies of game, fish, game and non-game birds, game or fur-bearing animals; shipment out of the state of game and non-game birds, fish, game and fur-bearing animals or parts thereof, permits for shipment of game, etc.; label required on shipments of game, etc.; express and other transportation companies receiving game, etc.; for transportation or sale; fees for shipping permits; possession, purchase, sale and transportation of game fish, wild bird, game or fur-bearing animal or part thereof; and prescribing penalty for violations of the provisions of this Act; and appropriating certain sums to the fish and game fund; and repealing Section 3744 of the Revised Codes of Montana of 1921, and all Acts and parts of Acts in conflict with the provisions of this Act."	149, 173, 211, 233, 239, 261, 277, 278, 326, 331, 564, 570, 595, 596, 598, 604, 606, 655, 656, 660, 661.
158	A Bill for an Act entitled: "An Act to amend Section 4545 of the Revised Codes of Montana, 1921,	

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	relating to the appointment, qualification and term of office of county fair commissioners.".....	158, 201, 246, 261, 271, 276, 300, 339, 341, 357, 359, 430.
159	A Bill for an Act entitled: "An Act defining, regulating and providing for the licensing of fur dealers and their agents and providing penalties for the violation of this Act."	164, 173, 201, 217, 221, 246, 250, 264, 376, 447, 448, 461, 552, 564, 574.
160	A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the Livestock Sanitary Board for the years beginning July 1, 1927, and ending June 30, 1929."	158, 163, 186, 207, 217, 226, 227, 246, 250, 264, 312, 321, 335, 346, 430.
161	A Bill for an Act entitled: "An Act to appropriate funds for the operation and maintenance of certain of the State's institutions for the period beginning July 1, 1927, and ending June 30, 1929."	158, 163, 201, 217, 225, 227, 258, 260, 573, 597, 598, 600, 604, 608, 648, 649, 654, 655, 656, 660, 661.
162	A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of certain of the boards, commissions and departments of the State of Montana for the period beginning July 1, 1927, and ending June 30, 1929."	158, 163, 186, 207, 217, 225, 227, 258, 260, 608, 611, 658, 659.
163	A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the State Forester for the period beginning July 1, 1927, and ending June 30, 1929."	158, 163, 186, 207, 217, 225, 227, 230, 279, 372, 406, 412, 424, 427, 441, 507, 530, 540, 563, 564, 575, 577, 594.
164	A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the Department of Agriculture, Labor and Industry for the period beginning July 1, 1927, and ending June 30, 1929."	158, 163, 186, 207, 217, 225, 227, 246, 251, 264, 633, 635, 636, 644, 650, 651, 655, 656, 658, 659.

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165	A Bill for an Act entitled: "An Act authorizing and directing the State Board of Examiners to purchase additional land for the campus purpose of the University of Montana, at Missoula, and appropriating money for the payment of purchase price of said land."	164, 182, 211, 233, 246, 251, 265, 447, 448, 463, 472, 493, 528.
166	A Bill for an Act entitled: "An Act to appropriate money from the Industrial Accident Fund of the State of Montana for the payment of compensation on the claim of Goede, which claim was disallowed by the Industrial Accident Board because it was not presented within six months following the date of the injury."	164, 191, 211, 233, 246, 251, 265, 312, 321, 335, 346, 430.
167	A Bill for an Act entitled: "An Act to amend Section 6236 of the Revised Codes of Montana of 1921 as amended by Chapter 145 of the Laws of the Eighteenth Legislative Assembly of Montana, relating to official bonds required of public officers."	165, 219, 258, 288, 293, 307, 316, 481, 500, 505, 516.
168	A Bill for an Act entitled: "An Act to amend Section 3130 of the Revised Codes of the State of Montana of 1921 relating to the practice of osteopathy."	165, 220.
169	A Bill for an Act entitled: "An Act to amend Section 633 of the Revised Codes of Montana of 1921, relating to primary election notices."	168, 329.
170	A Bill for an Act entitled: "An Act to amend Sections 1626 and 1629 of the Revised Codes of Montana, 1921, relating to employment of laborers, teams and implements by road supervisors and method of payment for the same by providing that the claims arising hereunder may be sworn to before the road supervisor."	168, 191.
171	A Bill for an Act entitled: "An Act relating to insurance upon lives of directors, officers, agents and employees of corporations and prescribing what shall constitute evidence of due authority for all corporate actions with reference thereto."	173, 187, 211, 233, 246, 252, 265, 302, 310, 311, 318, 330, 335, 346, 430.
172	A Bill for an Act entitled: "An Act relating to the use of the public highways by loaded and unloaded vehicles, regulating the tonnage thereon, fixing the wheelbase of said vehicles, and classifying the same, forbidding certain vehicles the use of the	

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	highways, authorizing the county commissioners to forbid and suspend the use of the highways under certain conditions of the provisions hereof."	173, 337, 387, 394, 396, 413, 419, 441, 499, 505, 532, 551.
173	A Bill for an Act entitled: "An Act to provide for the payment to Ludwig Rose of the sum of Thirty-six Hundred Eighty-five (\$3685.51) and 51-100 Dollars for deficiency claim for services rendered and traveling expenses while engaged and employed by the Board of Prison Commissioners and the Warden of the State Penitentiary at Deer Lodge, as Supervisor of paroled prisoners of said State Penitentiary and of persons at liberty under suspended sentence laws of the State of Montana from April 1, 1923, to January 1, 1925, which claim has been approved by the State Board of Examiners."	173, 316.
174	A Bill for an Act entitled: "An Act declaring valid all certificates of sale issued to any county since March 1, 1923, on the purchase by such county of real property sold at delinquent tax sales and now held by such county."	173, 235.
175	A Bill for an Act entitled: "An Act to amend Sections 5272 and 5276, Revised Codes of Montana, 1921, relating to street sprinkling in cities and towns."	173, 248, 293, 319, 335, 354, 482, 498, 500, 520, 524.
176	A Bill for an Act entitled: "An Act to amend Section 10145 of the Montana Codes of 1921 providing for setting apart property of deceased persons, including a homestead and providing for the value of such homestead."	173, 231.
177	A Bill for an Act entitled: "An Act to amend Section 4527, of the Revised Codes of Montana, 1921, relating to the furnishing of medical attendance to the county poor: authorizing the employment of county health officers and deputies and empowering adjacent counties to employ special deputy health officers under certain circumstances."	182, 236, 271, 318, 335, 354, 401, 448, 449, 463, 473, 486, 528.
178	A Bill for an Act entitled: "An Act to amend Section 5653 of the Revised Codes of Montana of 1921 relating to giving preference to soldiers and sailors and disabled civilians in certain public employment."	182, 328, 371, 385, 402, 404, 442, 482, 497, 500, 501, 510, 526, 532.

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179	A Bill for an Act entitled: "A supplementary appropriations bill authorizing the purchase of fire extinguishers by the State Board of Examiners for use at the State Capitol Building."	183, 246, 293, 319, 335, 355, 446, 447, 448, 474, 495.
180	A Bill for an Act entitled: "An Act to amend Section 662 of the Revised Codes of 1921, relating to the election of county and city central committeemen."	182, 325, 350, 369, 370, 391, 392, 441, 507, 530, 551, 553, 562.
181	A Bill for an Act entitled: "An Act to appropriate money for the construction and equipment of buildings at the Montana State School for Deaf and Blind at Boulder, Montana."	187, 211, 322.
182	A Bill for an Act entitled: "An Act appropriating money for the payment of a claim of Conybeare, Church and Davidson of Lethbridge, Alberta, Canada, for legal services performed at the request of agents of the State of Montana in connection with extradition of Henry Cooch."	187, 211, 246, 261, 271, 276, 300, 312, 321, 335, 346, 430.
183	A Bill for an Act entitled: "An Act to appropriate money for the construction and equipment of buildings at the Montana State Industrial School at Miles City, Montana."	188, 234, 271, 318, 335, 355, 530, 540, 562, 594.
184	A Bill for an Act entitled: "An Act to appropriate money for the purchase of land for the use of the Montana State Industrial School at Miles City, Montana."	188, 211, 246, 261, 271, 276, 300, 340, 349, 374, 440, 444, 463, 528.
185	A Bill for an Act entitled: "An Act to amend Section 11,596 of the Revised Codes relating to imprisonment in the State Penitentiary and the time when such imprisonment commences when a person has been convicted of two or more crimes before sentence has been pronounced upon him for either."	188, 219, 258, 288, 295, 304, 322, 371, 377.
186	A Bill for an Act entitled: "An Act creating the Department of State Lands and Investments; making the State Board of Land Commissioners the governing board of this department; providing for the appointment of a Commissioner of State Lands and Investments; designating this Commissioner and	

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	the State forester as the Chief Executive and administrative officers under this Board; providing other officers and agencies to assist in carrying out the work of the department; prescribing the powers and duties of this board and of all officers, employees, agencies, and persons acting for or under this board in the selecting, classifying, appraising, use, leasing, exchange, selling and disposing of State lands, and the general care, custody and management of such lands; and in the administration of other business relating thereto and coming under this Department; in the care, custody, investment and management of the funds arising from such lands or otherwise subject to their control; prescribing some of their powers and duties under Article 21 of the Constitution, fixing their term of service, manner of qualifying, salaries, emoluments and compensation; prescribing fines and penalties for nonfeasance or malfeasance in the performance of their duties; and repealing Section 207, Sections 1805 to 1829, both inclusive. Section 1840, Sections 1843 to 1871, both inclusive, Sections 1882 to 1911, both inclusive, Section 1918, Sections 1928 to 1948, both inclusive, all of such sections being of the Revised Codes of Montana of 1921; and Section 4014 of the Revised Codes of Montana of 1921 as amended by Chapter 147 of the Laws of the Eighteenth Legislative Assembly and Chapter 94 of the Laws of the Eighteenth Legislative Assembly; and Chapters 90, 134, 168 and 190 of the Laws of the Nineteenth Legislative Assembly, and also repealing any other Act or parts of Acts in conflict with the provisions of this Act."	188, 190, 191, 246, 260, 333, 334, 335, 383, 384, 394, 413, 420, 441, 519, 532, 565, 585, 588, 589, 593, 660, 661.
187	A Bill for an Act entitled: "An Act to endow the Public Service Commission of Montana with the right, power and authority to issue certificates of public convenience and necessity for the construction and operation of natural and manufactured gas utilities within the State of Montana. and making it unlawful for the gas utilities enumerated therein to commence construction and operation within the State of Montana without such certificate."	189, 280, 317, 351, 363, 366, 499, 501, 560.
188	A Bill for an Act entitled: "An Act to amend Section 3787 of the Revised Codes of Montana, 1921, relating to the salary of inspector for the State Board of Railroad Commissioners."	191, 235, 271, 318, 335, 355, 480, 498, 500, 520, 524.

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189	A Bill for an Act entitled: "An Act appropriating money for the payment of claims of C. E. Foster, Clark Baumgarner, F. S. Putnam, and W. S. McCormack, for expenses incurred as members of the Board of Managers of the State Terminal Elevator."	202, 345.
190	A Bill for an Act entitled: "An Act accepting the powers granted by an Act of the Sixty-seventh Congress, No. 48, entitled: 'An Act to amend an Act approved Feb. 22, 1889 entitled: "An Act to provide for the division of Dakota into two states and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and state governments, and to be admitted into the Union on an equal footing with the original states, and to make donations of public lands to such states.' Approved August 11th, 1921. Providing for the disposition of oil and gas deposits reserved by the State of Montana or in land owned by the State of Montana; authorizing the State Board of Land Commissioners to grant oil and gas leases covering such deposits, limiting the amount and extent of land which may be leased; defining the qualifications for lessees and assignees; providing the form and contents of such oil and gas leases and for the assignment, relinquishment, surrender, cancellation and forfeiture thereof; requiring the payment of fees and the giving of bonds by lessees and assignees; providing the method for cancelling and forfeiting oil and gas leases hereunder; authorizing the State Board of Land Commissioners to compromise disputes arising under oil and gas leases; providing the manner for ascertaining the full market value of oil and gas deposits reserved by or in land owned by the State, and the payment of rentals and royalties therefor, providing for the sale of royalties due or to become due the State under oil and gas leases; ratifying, confirming, and approving oil and gas leases issued by the State prior to the passage and approval of this Act: providing for the surrender or amendment of oil and gas leases issued by the State prior to passage and approval of this Act: providing for the disposition of moneys derived from oil and gas leases issued hereunder; providing penalties for the violation of this Act: repealing all Acts or parts of Acts in conflict herewith."	201, 281, 328, 332, 338, 347, 349, 360, 385, 394, 406, 411, 412, 430, 431, 441, 573, 586, 630, 636.
191	A Bill for an Act entitled: "An Act to prevent fraud in the sale of securities within the State of Montana by regulating the offer for sale and sale thereof, by requiring registration of such securities and licensing of persons selling or offering securities for sale, by establishing the State Securities	

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	Commission and empowering and requiring it to administer and enforce this Act. By providing penalties for violation thereof, and by repealing other laws and parts of laws relating to the same subject matter or inconsistent with the provisions of this Act."	201, 307, 317, 323.
192	A Bill for an Act entitled: "An Act to amend Section 1617 of the Revised Codes of Montana of 1921 relating to the amount of mills County Commissioners may levy for general road tax."	202, 219.
193	A Bill for an Act entitled: "An Act amending the defining clause of the Revised Codes of Montana, 1921, Section 3186, to include the drug, Mariahuana (Cannabis Indica)."	202, 236, 271, 318, 335, 356, 362, 363, 384, 389, 441, 482, 498, 500, 511, 513.
194	A Bill for an Act entitled: "An Act to amend Section 5285, Revised Codes 1921, relating to the funding of floating indebtedness by cities and towns."	202, 217, 258, 288, 295, 304, 322, 507, 530, 562, 594, 636.
195	A Bill for an Act entitled: "An Act to amend Sections 1219 and 1223 of the Revised Codes of Montana of 1921 as amended by Chapter 120, Session Laws of the Nineteenth Legislative Assembly of the State of Montana. relating to qualifications and oath of electors in school district elections held for the purpose of levying a tax in excess of ten mills within such school district."	202, 309, 346, 369, 370, 373, 387, 441, 504, 506.
196	A Bill for an Act entitled: "An Act to amend Section 4767 of the Revised Codes of Montana 1921, as amended by Chapter 89 of the Laws of the Eighteenth Legislative Assembly and as further amended by Chapter 137 of the Laws of the Nineteenth Legislative Assembly, relating to the deposit of county, city and towns funds."	207, 228, 239, 344, 393, 394, 413, 419, 441, 518, 531, 550, 553, 555, 564, 582, 605, 613, 656.
197	A Bill for an Act entitled: "A supplementary appropriation bill appropriating money for the State Board of Hail Insurance. the administration of the motor vehicle license and registration laws, and the Fish and Game Commission."	208, 211, 246, 288, 307, 316, 552, 560, 562, 594.

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198	A Bill for an Act entitled: "An Act to regulate the publication of proposed constitutional amendments."	211, 322, 342, 382, 394, 413, 420, 423, 427, 429, 441, 480, 498, 500, 520, 524.
199	A Bill for an Act entitled: "An Act directing the disposition of a portion of the interest on investments made with the money which remained of a fund appropriated by the United States government on June 25, 1908, to pay the Montana National Guard from the time of call until muster into the service of the United States for the Spanish-American War."	212, 217, 246, 288, 295, 304, 322, 482, 496, 497, 500, 501, 510, 526, 532.
200	A Bill for an Act entitled: "An Act to amend Sections 6339 and 6344 of the Revised Codes of Montana, 1921, relating to death annuity benefits on lives of children in fraternal benefit societies by providing that death annuities may be written on the lives of children between the ages of two and eighteen years without restrictions as to legal relationship to members of such societies."	212.
201	A Bill for an Act entitled: "An Act relating to drainage districts, amending Sections 7286, 7307, 7322, 7323, 7327 of the Revised Codes of Montana, 1921, and 7342 of said Codes as amended by Chapter 109 of the laws of 1923, adding a section to be designated as Section 7364A to said Codes, authorizing commissioners of drainage district to designate depositories for funds of the district, the payment of interest on deposits to drainage district, specifying the various classes of property, persons and corporations against which assessments may be made to aid in payment of costs of construction of drains, repairs, up-keep, administrative and incidental expenses of drainage districts, the levy of additional assessments in case any assessment be declared void and providing for the levy of assessments upon certain lands, irrigation ditches and canals, to aid in payment of cost of construction of drains, which lands, ditches and canals were not or shall not be included in the original assessment for costs of such construction."	212, 328, 329, 371, 385, 402, 417, 441, 563, 573.
202	A Bill for an Act entitled: "An Act to amend Section 5214, 2234 and 2235 of the Revised Codes of Montana, 1921, relating to the collection of city and town taxes and special assessments by the County Treasurer and sale for delinquent taxes and distribution of the proceeds to the distribution between the State, County and City	

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	or Town of moneys received in redemption of property sold for taxes or received from a sale or property; reports of County Treasurer and the recording of grants or deeds, and to the sale by the Board of County Commissioners of unredeemed property sold to the county and disposition of the moneys arising from such sale."	212, 246, 336.
203	A Bill for an Act entitled: "An Act to repeal Chapter 153, Laws Seventeenth Legislative Assembly, 1921, entitled: 'An Act relating to Irrigation Districts; providing a comprehensive method and system for the creation, organization, government, management, control, operation, administration and dissolution of irrigation districts under the supervision of the Public Service Commission of Montana; defining and describing the powers, duties and authority of the Public Service Commission of Montana in connection with the creation, organization, government, management, control, operation and the powers, duties and rights of such irrigation districts and their officers; authorizing and empowering such irrigation districts to construct, purchase, or otherwise acquire works, water property and rights necessary for the irrigation of the lands within and comprising the districts; authorizing the incurring of indebtedness in the connection with the purchase, construction or acquiring of such works, water, property and rights, and the maintenance, management, control and operation thereof, and the assessing and levying of special assessments and taxes on the lands within and comprising such districts for the purpose of raising funds to pay such indebtedness; providing that the provisions of this Act may extend and apply to irrigation districts heretofore organized and existing or in process of organization under existing laws; now incorporated as Sections 3953 to 4025, inclusive, Revised Codes of Montana, 1921, as amended by Chapter 147, Laws Eighteenth Legislative Assembly, 1923, and Chapter 135, Laws Nineteenth Legislative Assembly, 1925; and to repeal Chapter 13, Laws Extraordinary Session, Sixteenth Legislative Assembly, 1919, now incorporated as Sections 3947 to 3952, inclusive, Revised Codes of Montana, 1921, and to repeal all of said Sections."	212, 269, 335, 352, 363, 367, 563, 573.
204	A Bill for an Act entitled: "An Act to amend Sections 3158 and 3166 of the Revised Codes of the State of Montana as amended by Chapter 171 of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, relating to the regulation of the practices of optometry, and to prevent ignorant, unprofessional, or incompetent persons from practicing same."	220, 236, 271, 318, 335, 356, 401, 446, 448, 474, 495.

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205	A Bill for an Act entitled: "An Act to appropriate money for the payment of assessments and interest on delinquent assessments on certain school lands in Big Lake Drain District No. 1, Stillwater County, Montana."	220, 349, 402, 412, 424, 428, 441, 608, 611, 613, 634, 635, 658, 659.
206	A Bill for an Act entitled: "An Act requiring notice of delinquent taxes to be given to taxpayers in June of each year."	220, 449.
207	A Bill for an Act entitled: "An Act for the protection and conservation of the supply of natural gas of the State of Montana, prohibiting the waste and wasteful use of natural gas through burning or consumption thereof for the manufacturing or producing of carbon or other resultant products therefrom, prohibiting the taking, using, sale or other disposition of natural gas from gas wells for such purposes, and providing penalties for the violation of such Act."	220, 228, 269, 305.
208	A Bill for an Act entitled: "An Act to amend Section 5138 of the Revised Codes of Montana of 1921, relating to the hours of continuous employment of firemen in cities of the first and second class, and repealing all Acts and parts of Acts in conflict herewith."	220, 338, 371, 385, 402, 404, 442, 504, 507, 528, 564, 586, 613.
209	A Bill for an Act entitled: "An Act to amend Section 10480 and Section 10485 of the Revised Codes of the State of Montana, 1921, relating to allowance for dependent children under the mother's pension act designating the county by whom such allowance shall be paid, and repealing all Acts and parts of Acts in conflict herewith."	220, 326.
210	A Bill for an Act entitled: "An Act to appropriate money to reimburse J. P. Preston, S. R. West, and Archie Ballard, for damage and destruction of crops of grain by elk, while said animals were under protection of the State of Montana and its employees of the Fish and Game Department."	221, 316, 346, 369, 382.
211	A Bill for an Act entitled: "An Act to appropriate money to reimburse R. N. Lodge, J. C. Cross, and Charley B. Ross, for damage and destruction of crops of grain by elk, while said animals were under protection of the State of Montana and its employees of the Fish and Game Department."	221, 317, 346, 369, 382.

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212	A Bill for an Act entitled: "An Act defining and regulating pasteurization; requiring the pasteurization of all milk or cream used by creameries in this State for the manufacture of butter for sale and the pasteurization of all milk or cream used in the manufacture of ice cream for sale, except as in this Act otherwise provided; defining creameries; regulating the sale of ice cream and the labeling of containers and providing penalties for the violation of this Act."	236, 317, 346, 369, 385, 402, 405, 442, 461, 480, 508, 509.
213	A Bill for an Act entitled: "An Act defining farm dairies, milk distribution and milk plants. Providing for the sanitary inspection and licensing of dairies and of various plants handling or manufacturing dairy products and regulating the disposal of license fees; authorizing the Department of Agriculture, Labor and Industry to regulate the operation of the same and providing penalties for violation of the provisions of this Act, and repealing Section 3282, R. C. M., 1921, as amended by Section 11 of Chapter 35 of the Session Acts of the Eighteenth Legislative Assembly of Montana of 1923, and all Acts and parts of Acts in conflict herewith."	237, 326.
214	A Bill for an Act entitled: "An Act to amend Section 105, of Chapter 6 of the Montana Revised Codes of 1921, relating to the printing, binding and delivery of referendum and initiative measures."	237, 346, 387, 394, 413, 420, 441, 505, 530, 552, 560, 561.
215	A Bill for an Act entitled: "An Act to amend Section 7210 of the Revised Codes of Montana, 1921, as amended by Section 7 of Chapter 157, Laws of the Eighteenth Legislative Assembly, State of Montana, 1923, and to amend Section 7211 of the Revised Codes of Montana, 1921, as amended by Section 1 of Chapter 161, Laws of the Eighteenth Legislative Assembly, State of Montana, 1923, and repealing Section 7216, Revised Codes of Montana, 1921, as amended by Section 2 of Chapter 161, Laws of the Eighteenth Legislative Assembly, Section 7217; Section 7218 as amended by Section 30, Chapter 161, Laws of the Eighteenth Legislative Assembly, Section 7219, Section 7220, as amended by Section 11, Chapter 157, Laws of the Eighteenth Legislative Assembly, Sections 7221, 7222, 7223, Section 7224 as amended by Section 12 of Chapter 157, Laws of the Eighteenth Legislative Assembly, and Section 7225 of the Revised Codes of Montana, 1921, relating to petition for bonds of irrigation districts, action thereon, and confirmation of bond proceedings of irrigation districts, and to the creation of the Irrigation District Bond Commission, prescribing its powers and duties, examination of irrigation district and irrigation district bonds by said commission, certification of said bonds by Secre-	

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	tary of State, and making said bonds a legal investment for trust funds, etc.".....	237, 269, 335, 352, 363, 367, 573, 574.
216	A Bill for an Act entitled: "An Act to amend Section 3338 of the Revised Codes of the State of Montana of 1921, relative to publication of description of estray livestock sold; providing for the disposition of the proceeds remaining in the State Treasury and changing the time of publication of description from four weeks to two weeks.".....	237, 258, 317, 351, 363, 367, 481, 498, 500, 520, 524.
217	A Bill for an Act entitled: "An Act defining a habitual criminal and providing the penalty to be imposed upon a person found to be a habitual criminal as defined in this Act.".....	237, 296, 335, 352, 363, 367, 497, 500.
218	A Bill for an Act entitled: "An Act relating to contracts for the construction of buildings or the alteration, repair and improvement of buildings and grounds on behalf of and for the benefit of the State, advertising for bids, awarding contracts and prohibiting the cost plus system or principle.".....	237, 280, 317, 351, 352, 359, 365, 461, 480, 493.
219	A Bill for an Act entitled: "An Act to amend Section 1024, Revised Codes of 1921, relating to the manner of creating new school districts; providing the number of census children and the assessed valuation of property remaining in the old district and repealing Section 1025 Revised Codes of 1921.".....	237, 310, 346, 369, 370, 387, 389, 442, 564, 573, 584, 588, 589, 593, 613.
220	A Bill for an Act entitled: "An Act appropriating money for the purpose of insuring securities held by the State Treasurer.".....	239, 317, 346, 369, 370, 373, 388, 442, 461, 480, 486, 487, 528.
221	A Bill for an Act entitled: "An Act providing for the assessment and taxation of royalty and royalty interest in the mineral product of any quartz vein or lode or placer mining claim or any mine whatsoever containing gold, silver, copper, lead, petroleum or other valuable mineral or minerals deposit.".....	238, 295, 335, 362, 382, 391, 402, 442, 506, 530, 552, 560, 561.
222	A Bill for an Act entitled: "An Act to amend Sections 2089 and 2090 of the Revised Codes of Mon-	

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	tana of 1921, relating to the statement of gross yield of mines and net proceeds—how computed; as amended by Chapter 191 Acts of the Nineteenth Legislative Assembly of the State of Montana.”.....	238, 295, 346, 362, 382, 402, 405, 442, 506, 530, 552, 560, 561.
223	A Bill for an Act entitled: “A supplementary appropriation act appropriating money to pay delinquent special improvement district assessment in Special Improvement District No. 3 of the town of Geraldine, Montana, upon school lands owned by the State and located in said improvement district.”	239, 344.
224	A Bill for an Act entitled: “An Act to amend Section 2067 of the Revised Codes of Montana of 1921, relating to the assessment and taxation of State Banks, Banking Corporations and private bankers and of shares of stock in such State banks or banking corporations and providing for the furnishing of certain information to county officials by bank officials.”	238, 295, 335, 352, 362, 382, 391, 403, 442, 552, 560, 562, 594.
225	A Bill for an Act entitled: “An Act to invest the Board of Railroad Commissioners of Montana with authority, under enumerated conditions, to order the installation and construction of commercial or industrial spur tracks for public use, upon petition of interested localities or shippers, and after full hearing thereon, and providing penalties for the violation of the provisions of this Act, or any lawful order hereunder, and repealing Section 3833. Revised Codes of Montana, 1921.”	238.
226	A Bill for an Act entitled: “An Act defining the qualifications of police officers in the cities and towns in the State of Montana, providing for the creation of police reserves, specifying salary limits thereof, and specifying the limits of tax levies therefor.”	238, 338, 371, 386, 402, 418, 441, 552, 564, 584, 588, 589, 593, 613.
227	A Bill for an Act entitled: “An Act to amend Section 439 of the Revised Codes of Montana of 1921 relating to the salaries of employees at the State Capital.”	247, 279, 335, 362, 371, 380, 441, 551, 552.
228	A Bill for an Act entitled: “An Act to amend Section 1753 of the Revised Codes of Montana, of 1921, relative to the operation of vehicles on highways	

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	and providing for certain accessories including brakes, signalling devices, lamps, lights, and lighting equipment and repealing all Acts and parts of Acts in conflict herewith."	247, 360, 406, 412, 430, 431, 441, 518, 530, 531, 547.
229	A Bill for an Act entitled: "An Act establishing a license tax on livestock coming into Montana from other states, and grazing therein, providing for collection of same and distribution of such tax and fixing the penalties for violation of this Act."	247, 258, 317, 351, 352, 359, 365, 481, 496, 500, 501, 510, 526, 532.
230	A Bill for an Act entitled: "An Act relating to special improvement districts in cities and towns authorizing the creation and establishment of a special improvement district revolving fund; and providing the purposes for and the manner in which loans may be made from such revolving fund to special improvement district funds."	247, 279.
231	A Bill for an Act entitled: "An Act to amend Section 9469 of the Revised Codes of Montana, 1921, relating to the foreclosure of mortgages where the payments on debt secured fall due at different times."	247, 326.
232	A Bill for an Act entitled: "An Act to amend Section 567 of the Revised Codes of Montana, 1921, providing for printing registry lists for city elections by the newspaper that may have a contract for the city or town printing."	247, 335, 346, 369, 370, 373, 388, 442, 504, 507.
233	A Bill for an Act entitled: "An Act to repeal Section 1627 of the Revised Codes of 1921, relative to the removal of obstructions on county highways and the duties of county commissioners and inhabitants of road districts to remove obstructions and repair bridges."	247, 336, 371, 386.
234	A Bill for an Act entitled: "An Act empowering the State Board of Health, the State Department of Education and the State Department of Public Welfare to carry on their respective functions for the benefit of the Indians of Montana to the extent that the cost of such services shall be provided for by the Congress of the United States through Federal appropriations."	247, 298, 335, 352, 363, 368, 481, 498, 500, 520, 524.
235	A Bill for an Act entitled: "An Act relating to all property acquired by the State by escheat, forfeiture or failure of title and providing when title	

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	vests in the State, providing for making the State a party to foreclosure of liens in certain cases, providing for the administration of escheated estates on the establishment of heirship, providing for interest on funds withheld by administrators and county treasurers, providing for recovery of property where title has vested in the State for the appointment of receivers in certain cases, providing the manner of sale of escheated and other property or proceeds by heirs or claimants, and repealing Sections 7089, 7090, 9959, 9960, 9961, 9962, Revised Codes of Montana, 1921.".....	247, 336, 387, 394, 413, 421, 441, 497, 499.
236	A Bill for an Act entitled: "An Act to amend Section 1253, Revised Codes of Montana of 1921, relating to qualifications of voters on bond issues.".....	248, 387.
237	A Bill for an Act entitled: "An Act for the licensing of drivers of motor vehicles; persons exempted, when the license is suspended or revoked; persons ineligible for licensure; possession of license card; recording of licenses issued, suspended or revoked; expense records."	248, 292, 335, 352, 362, 369, 391, 403.
238	A Bill for an Act entitled: "An Act directing the State Board of Prison Commissioners to purchase lots 1, 2, 3, 4, 5 and 6 of Block 61 of the original townsite of Deer Lodge, Montana, together with the improvements thereon and the furniture and fixtures now used in connection therewith, at a price of \$15,000.00, to be used as a residence for the warden of the Montana State Prison, and making an appropriation therefor."	252, 317, 346, 363, 371, 380, 441, 506, 531, 550, 553, 554, 594.
239	A Bill for an Act entitled: "An Act providing for the employment of prisoners confined in the State Penitentiary, authorizing and empowering the State Board of Prison Commissioners to establish, construct, maintain and operate at the State penitentiary at Deer Lodge, a factory for the manufacture of wearing apparel; providing that the products thereof shall not be sold in the open market; not compete with the products of free labor; making the warden of the State Prison, superintendent of said factory, under the supervision of the Board of Prison Commissioners; providing for the disposal of the products thereof; creating a prison revolving fund and making a supplemental appropriation of money for the purpose of carrying this Act into effect."	253, 345, 387, 394, 395, 413, 421, 441, 480, 508, 509.
240	A Bill for an Act entitled: "An Act to amend Section 11039 of the Revised Codes of Montana, 1921, relating to the keeping open of certain places of amusement on Sunday.".....	253.

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241	A Bill for an Act entitled: "An Act relating to the office of County Surveyor, defining the powers and duties of County Surveyor, abolishing the office of Road Supervisor, and repealing Sections 4836, 4845, and 4847 of the Revised Codes of Montana of 1921."	253, 346, 387, 394, 395, 397, 402, 403, 442, 447, 448, 469, 498, 500, 526, 532.
242	A Bill for an Act entitled: "An Act to amend Sections 4551 to 4562 inclusive of the Revised Codes of Montana of 1921, relating to athletic exhibitions; providing for the establishment of a State Athletic Commission and for the collection and disposition of a percentage of the gross receipts obtained as a result of athletic contests and exhibitions, and providing for a transfer of the funds now on hand in the State Treasury collected under existing laws now credited and held in the State Treasury in the 'Soldiers' and Sailors' Home Fund' to be a separate fund to be designated as the 'Veterans' Memorial Fund', the establishment and use of which is herein provided for."	253, 296, 297, 350, 369, 385, 402, 418, 441, 506, 531, 550, 553, 554, 613.
243	A Bill for an Act entitled: "An Act requiring every person, firm, association, joint stock company and corporation engaged in or carrying on the business of producing or manufacturing, in this State, carbon black or other products from natural gas to pay to the State Treasurer for engaging in and carrying on such business, certain license taxes for the exclusive use and benefit of the State of Montana; fixing the amount of such license taxes; prescribing a method for the assessment and collection thereof and prescribing penalties for the violations of the provisions of this Act."	259, 343, 393, 394, 395, 396, 413, 421, 441, 497, 499.
244	A Bill for an Act entitled: "An Act to amend Section 12277 of the Revised Codes of the State of Montana of 1921, relating to procedure against delinquent children and juvenile delinquent persons."	259, 261, 271, 352, 369, 370, 387, 391, 442, 504, 507.
245	A Bill for an Act entitled: "An Act to amend Sections 1999 and 2000, Revised Codes of Montana, 1921 providing for the classification of taxable property in this State for the purpose of taxation, and providing the percentage of the true and full value of each class which shall be taxed and used for the imposition of the tax thereon."	259, 296.

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246	A Bill for an Act entitled: "An Act to amend Sections 2005 and 2007 Revised Codes of Montana, 1921, relating to the filing with the County Assessor of statements showing property subject to taxation, and providing the method for making such statement upon refusal, failure or neglect to file the same."	259, 296.
247	A Bill for an Act entitled: "An Act to amend Section 1998 of the Revised Codes of Montana of 1921 relating to exemptions from taxation."	259, 293, 335, 352, 363, 368, 482, 497, 500.
248	A Bill for an Act entitled: "An Act to create an Irrigation and Water Right Code Committee and prescribe its powers and duties and making appropriations therefor."	260, 344.
249	A Bill for an Act entitled: "An Act to repeal Chapter 188 of the Laws of 1925, relating to the licensing of dealers in oleomargarine or other substitutes, for dairy products, and fixing the fees for the same, and providing penalties for the violation of the Act and repealing all Acts and parts of Acts in conflict herewith."	259, 296.
250	A Bill for an Act entitled: "An Act to provide a method for the selection of school text books for public schools in the State of Montana, and repealing Sections 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197 and 1200 and Chapter 25 of the Laws of the Nineteenth Session of the Legislative Assembly of the State of Montana, 1925, which provide for the creation of a State text book commission and the compensation of the members thereof."	269, 337, 371, 386, 394.
251	A Bill for an Act entitled: "An Act to amend Section 8813 of the Revised Codes of Montana of 1921, relating to the number of district judges in each judicial district of the State."	269, 323, 324, 328, 429.
252	A Bill for an Act entitled: "An Act for the purpose of protecting the public in the purchase of coal and coke and to that end regulating the sale and marketing of coal and coke within the State of Montana and providing penalties for the violation of the provisions of this Act."	269, 324, 350, 369, 370, 373, 388, 442, 499, 505, 515, 526, 532.
253	A Bill for an Act entitled: "An Act to amend Sections 1 and 11 of Chapter 65 of the Eighteenth Legislative Assembly of 1923, as amended by Chap-	

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	ter 150 of the Nineteenth Legislative Assembly of 1925, relative to tax on direct and collateral inheritances, requests and devises; defining clear market value; and relating to the apportionment of debts and exemptions as applied to estates located partly within and partly without Montana; and providing that the provisions of this Act shall apply to all estates of all decedents who have died since the first day of June, 1924, and which estates remain undistributed on the date when this Act takes effect, to the same extent and in the same manner as though this Act had been in full force and effect at the dates of death of such decedents."	269, 343, 393, 394, 395, 419, 424, 441, 499, 530, 552, 562.
254	A Bill for an Act entitled: "An Act to amend Sections 3 and 13 of Chapter 65 of the Eighteenth Legislative Assembly of 1923, and Section 15 of Chapter 65 of the Eighteenth Legislative Assembly of 1923, as amended by Chapter 150 of the Nineteenth Legislative Assembly of 1925, relating to tax on direct and collateral inheritances, requests and devises; relating to the appointment of special appraisers; and providing for an estate tax on estates having a net or clear market value in excess of one million dollars."	270, 343, 387, 394, 395, 419, 425, 441, 507, 530, 562, 613.
255	A Bill for an Act entitled: "A Bill to amend Section 4058 of the Revised Codes of Montana, 1921, defining real estate broker."	270, 292, 335, 362, 371, 380, 441, 469, 480.
256	A Bill for an Act entitled: "A Bill for an Act accepting the grant of numbered school sections mineral in character as made by an Act of Congress approved January 25, 1927."	270, 298, 335, 362, 371, 381, 441, 482, 498, 500, 511, 513.
257	A Bill for an Act entitled: "An Act to amend Section 12275 of the Revised Codes of the State of Montana of 1921, relating to procedure against delinquent children and juvenile delinquent persons."	270, 337, 402, 412, 424, 428, 441, 504, 505.
258	A Bill for an Act entitled: "An Act in appreciation of the heroic pioneers of Montana, to commemorate their public services by creating a memorial home for Montana pioneers, residents of the State of Montana, who arrived in the Territory thereof on or before the 31st day of December, 1868; creating and establishing said memorial and providing a board of managers therefor and for the organiza-	

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	tion thereof, and providing for the site thereof out of the Bratton ranch belonging to the State Farm at Deer Lodge, Montana, and for the use of convict labor and State manufactured materials in the construction of the necessary buildings and in the improvement of the grounds of said memorial; providing a small tax levy for its support and maintenance, which, together with other moneys designated, shall be kept by the State Treasurer, for the support and maintenance of such home; and providing an appropriation whereby such home may be established without delay."	270, 293.
259	A Bill for an Act entitled: "An Act relating to the taxation of lands acquired by the State under mortgage foreclosure proceedings or by way of deed and sold by the State under contract."	270, 319, 350, 369, 385, 402, 405, 442, 573, 574.
260	A Bill for an Act entitled: "An Act appropriating money for the payment to Custer County Free High School of Custer County, Montana, for expenses incurred and being incurred in furnishing high school training and education to State charges and inmates of the Montana State Industrial School."	271, 344, 393, 395, 413, 422, 441, 481, 500, 505, 515, 526, 532.
261	A Bill for an Act entitled: "An Act to amend Section 10212, Section 10213, and Section 10220 of the Revised Codes of Montana, 1921, relating to the sale of real estate and the contracts for the purchase of lands in probate proceedings; providing for the issuance of an order of persons interested to appear; the manner of service thereof, the giving of the notice of sale and contents thereof and repealing all Acts and parts of Acts in conflict herewith."	272, 336, 402, 412, 420, 426, 441, 507, 530, 562, 594.
262	A Bill for an Act entitled: "An Act to amend Sections 3125 and 3124 of the Revised Codes of Montana, 1921, being the medical practice Act of Montana and relating to the duties of the Medical Examining Board and fees of applicants and persons licensed to practice medicine and to compensation and mileage of members of the Medical Examining Board of the State of Montana."	272, 325, 350, 406, 412, 420, 425, 441, 482, 498, 500, 520, 524.
263	A Bill for an Act entitled: "An Act fixing the license of milk or cream buying or collecting stations; regulating the floor space and heating arrange-	

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	ment of such stations; providing penalties for the violation of this Act and repealing all Acts and parts of Acts in conflict herewith."	272, 336, 371, 386, 402, 411, 412, 415, 424, 427, 441, 505, 531, 549, 553, 554, 560, 561.
264	A Bill for an Act entitled: "An Act to amend Sections 1116, 1117, 1118, 1125, 1126 and 1127 of Chapter 88, of the Revised Codes of Montana, 1921, relating to the creating of funds in the State Treasury to provide for the retirement of public school teachers, and providing for the custody, management, investment and distribution of such funds and to amend said Chapter 88 of the Revised Codes of Montana of 1921, by adding a new section thereto to be known as Section 1116-A, providing for penalties for the failure of the clerk of the school district to perform the duties imposed upon him by said Act."	272, 350, 393, 395, 413, 422, 441, 500, 505, 531, 536, 560, 561.
265	A Bill for an Act entitled: "A supplementary appropriation bill appropriating money to build and equip a laboratory for the purpose of conducting experiments and other work for the control of Rocky Mountain spotted fever and insect-borne diseases."	271, 317, 363, 381, 441, 530, 540, 562, 594.
266	A Bill for an Act entitled: "An Act to amend Section 4814 of the Revised Codes of Montana of 1921 as amended by Chapter 2 of the Laws of the Nineteenth Legislative Assembly, relating to the annual reports of County Clerks."	272, 292, 335, 352, 363, 368, 482, 496, 501, 502, 515, 548, 549, 562.
267	A Bill for an Act entitled: "An Act authorizing County Commissioners to appropriate money for the purpose of advertising the resources of the county and to assist the Department of Agriculture in presenting exhibits of Montana products at fairs or expositions outside the State of Montana. and repealing Sections 4470a and 4470b, Revised Codes of Montana of 1921."	272, 328, 363, 386, 402, 418, 441, 499, 505, 517, 521, 524, 543.
268	A Bill for an Act entitled: "An Act to amend Sections 5259, 5260, 5161, 5268, 5269 and 5171, Revised Codes of Montana of 1921, and further amending Sections 5266, Revised Codes of Montana of	

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	1921, as amended by Chapter 17, Laws of the Eighteenth Legislative Assembly of the State of Montana, all relating to the creation of special improvement districts for lighting streets in cities and towns and providing a method for assessing said lighting districts."	272, 338, 402, 412, 430, 431, 441, 552, 560, 564, 588, 589, 600, 601, 605, 630, 636.
269	A Bill for an Act entitled: "An Act to appropriate money for the payment of a claim of Robert Fleming as compensation to him for expenses, loss of time and injury, caused by loss of an arm in the course of his employment as a Special Deputy sheriff of Flathead County, Montana."	272, 345, 382, 395, 413, 422, 441, 481, 498, 500, 520, 524, 536.
270	A Bill for an Act entitled: "An Act regulating the sale of goods, wares, merchandise, furniture, fixtures and other chattels in bulk, making provisions for the protection of the creditors of the vendor and amending Sections 8607, 8608, 8609, and 8610 of the Revised Codes of Montana of 1921."	273, 371.
271	A Bill for an Act entitled: "An Act to authorize County Commissioners to invest monies under the control of the county in county warrants and prescribing the duties of the County Commissioners, County Clerk and County Treasurer in connection therewith."	273, 319, 352, 369, 370, 373, 389, 442, 519, 532, 562, 600.
272	A Bill for an Act entitled: "An Act relating to the custody of children; regulating the assignment of such custody; requiring the approval thereof by the District Court; defining terms used in the Act providing penalties for the violation of this Act and repealing all Acts in conflict herewith."	273, 371, 519.
273	A Bill for an Act entitled: "An Act relating to the making of certain reports to the Bureau of Child and Animal Protection; defining terms used in this Act; providing penalties for the violation of this Act and repealing all Acts in conflict herewith."	273, 371.
274	A Bill for an Act entitled: "An Act to amend Section 5175 of the Revised Codes, relating to impounding animals by incorporated cities and towns and the sale of the same."	273, 281, 317, 359, 406, 412, 420, 426, 441, 518, 531, 563, 575, 577, 594.

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275	A Bill for an Act entitled: "An Act relating to the protection of bear and declaring a closed season thereon."	273, 281, 317.
276	A Bill for an Act entitled: "An Act creating and establishing a department of the State of Montana to be known and designated as the Department of Purchases, Audits and Accounts; making the State Board of Examiners, the State Purchasing Department and the office of the State Accountant parts of such department; dividing such departments into three divisions to be known as the Division of Purchases, Division of Audits and Division of Accounts; providing for a centralized accounting system for the State of Montana and all of its offices, departments, bureaus, commissions, boards, institutions, and agencies as a part of the division of accounts; prescribing the powers, authority and duties of such department and of each of the divisions thereof and abolishing the office of State Purchasing Agent."	273, 325.
277	A Bill for an Act entitled: "An Act providing for the formation of weed control districts, the naming of weeds to be considered noxious within said districts, the appointment of weed inspectors, penalties for violation, permitting the County Commissioner to create a fund for control of weeds on highways and public lands within weed districts, providing for the vacation of weed districts under certain conditions, and repealing Sections 4508, 4509, 4510, 4511, 4512 and 4513 of the Revised Codes of Montana, 1921, and Chapter 60 of the Acts of the Eighteenth Legislative Assembly of the State of Montana."	273, 372, 406, 413, 416, 417.
278	A Bill for an Act entitled: "An Act to amend Section 4932 of the Revised Codes of Montana of 1921, providing for the fees of constables by adding thereto an additional paragraph providing for the payment of fees to constables in counties having over twenty-five thousand inhabitants."	285, 326.
279	A Bill for an Act entitled: "An Act appropriating money for the purpose of paying special improvement district taxes to the town of Columbus, Montana, by reason of assessments against certain lots distributed and decreed to certain institutions of the State of Montana by reason of the provisions of the last will and testament of Eliza Labey Norton."	287, 345.
280	A Bill for an Act entitled: "An Act amending Section 1039 of the Revised Codes of Montana, 1921, relating to the maintenance of schools in isolated sections; providing for a hearing in case of appeal when necessary school facilities are not provided for as many as ten children; authorizing an addi-	

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	tional levy, not in excess of ten mills, and providing for the removal of trustees for the second offense of neglect of responsibility."	285, 337.
281	A Bill for an Act entitled: "An Act to amend Section 10251 and Section 10252 of the Revised Codes of Montana, 1921, relating to the mortgage of real estate belonging to the estate of deceased persons; providing for the issuance of the order to show cause, the service of the said order, and repealing all Acts and parts of Acts in conflict herewith."	285, 350, 369, 370, 391, 403, 442, 507, 530, 562, 594.
282	A Bill for an Act entitled: "An Act to amend Section 1 and Section 2 and Section 4 of Chapter 154 of the Laws of the Eighteenth Legislative Assembly and Section 6 of Chapter 154 of the Laws of the Eighteenth Legislative Assembly, as amended by Chapter 103 of the Nineteenth Legislative Assembly, relating to the supervision and regulation of the transportation of persons and property for compensation over any public highway in the State of Montana by motor vehicles, motor trucks, motor busses, bus trailer, semi-trailers and other motor vehicles being operated as common carriers; defining what constitutes transportation for compensation; defining transportation companies, common carriers and other terms used in this Act; providing for the supervision and regulation thereof by the Railroad Commission of Montana, and repealing all Acts and parts of Act in conflict herewith."	285, 463.
283	A Bill for an Act entitled: "An Act appropriating money for the payment of certain obligations incurred on behalf of the State Forest Department on account of fire suppression during the years 1919, 1920 and 1926, under cooperative agreements with the United States Forest Service and the Northern Montana Forestry Association."	288, 345, 387, 395, 396, 413, 419, 425, 441, 499, 505, 531, 562, 594.
284	A Bill for an Act entitled: "An Act to amend Sections 8812 and 8813 Revised Codes of Montana 1921, relating to Judicial Districts and the number of judges therein."	286, 323, 328, 342, 382, 395, 396, 397, 413, 441 504, 507.
285	A Bill for an Act entitled: "An Act to amend Section 3696 of the Revised Codes of Montana 1921, relating to the open season for elk."	286, 350, 387, 395, 413, 422, 441.

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286	A Bill for an Act entitled: "An Act providing for the establishment, maintenance and operation of a central accounting department and a centralized accounting system for the State of Montana and all its officers, departments, bureaus, institutions, boards and commissions and agencies; providing for appointment of a State Accountant as head of such centralized accounting department and fixing, prescribed and defining the powers, and authority of the State Accountant, as head of such centralized accounting department in connection with the establishment, maintenance and operation of such department and system."	286, 298, 325, 350, 369, 385.
287	A Bill for an Act entitled: "An Act to amend Section 8829 of the Revised Codes of Montana of 1921 relating to original jurisdiction of District Courts."	286, 296, 350, 369, 385, 402, 414, 441, 497, 499.
288	A Bill for an Act entitled: "An Act to amend Section 10687 of the Revised Codes of Montana, 1921, relating to the perpetuation of testimony."	286, 323, 350, 370, 387, 391, 442, 469, 481.
289	A Bill for an Act entitled: "An Act to amend Section 4944 of the Revised Codes of Montana, 1921, relating to witness fees."	286, 296, 346, 363, 384, 390, 442, 480, 498, 500, 520.
290	A Bill for an Act entitled: "An Act to amend Section 850 of the Revised Codes of 1921, providing for the control of expenditures by the State Board of Examiners; providing for the letting of contracts, and approval of bonds, for buildings or improvements, and for auditing claims; providing for the Board of Examiners conferring upon the Executive Boards of the educational institutions power and authority to contract current expenses and to audit and pay and report bills for salaries or other expenses incurred in connection with said institutions; providing for conferring upon the executive boards power to purchase, construct and improve or repair buildings for dormitory, housing or boarding purposes, and for payment thereof by pledge of net rentals and income arising from any such buildings; providing for conferring upon executive boards the right to pledge funds or moneys which have been or now are perpetually appropriated for the support and endowment of said institutions and subject to approval of the State Board of Examiners to enter into contracts for the purchase of buildings or for the doing of such construction work, to borrow such sums as may be necessary and to issue negotiable coupon bonds, notes of other evidence of indebtedness payable out	

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	of pledges or appropriated funds; providing the manner of sale of such bonds, notes or other evidence of indebtedness that shall be issued and the terms and conditions and the time during which such instruments shall run; providing for a pledge or income, profits and rentals arising from buildings constructed or from any other moneys, fees, or funds."	286, 329.
291	A Bill for an Act entitled: "An Act to amend Section 12075 of the Revised Codes of Montana, 1921, relating to indeterminate sentences."	287, 296, 350, 370, 384, 390, 442, 497, 499.
292	A Bill for an Act entitled: "An Act to amend Section 3714 of the Revised Codes of Montana, 1921, as amended by Chapter 162 of the Laws of the Nineteenth Legislative Assembly of the State of Montana relating to catching fish except with pole, line and hook, use of seines, licenses to use net, and penalties."	287, 350.
293	A Bill for an Act entitled: "An Act prescribing the conditions under which a railroad, branch or spur situated in this State may be abandoned; prescribing the conditions to be complied with on the sale or lease of railroad property by a corporation holding the right of franchise of operating a train or trains and repealing all Acts and parts of Acts in conflict herewith."	287, 326.
294	A Bill for an Act entitled: "An Act providing that where a railroad has been negligent in causing injury or death at crossings the contributory negligence of the injured or deceased person is not to be bar to actions for personal injuries or wrongful death, but may be considered by the jury in mitigation of damages."	287, 326.
295	A Bill for an Act entitled: "An Act to license dealers engaged in the sale of cigarettes, cigarette paper, cigars and tobaccos, fixing a license fee therefor in communities of 5000 population, and a license fee therefor in communities under 5000 population, and providing penalties."	287, 343.
296	A Bill for an Act entitled: "An Act to amend Sections 10906, 10908, 10909 and 10910, Revised Codes of Montana, 1921, relating to the penalty for unfair discrimination in purchasing or selling commodities and products; defining what constitutes unfair discrimination in selling commodities and products, and defining the duty of the Attorney General in connection therewith."	287, 359, 402, 413, 424, 427, 441, 497, 499.

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297	A Bill for an Act entitled: "An Act to amend Section 1116 of the Revised Codes of Montana of 1921 relating to the contribution to the teachers retirement permanent salary fund."	287, 359, 360.
298	A Bill for an Act entitled: "An Act to amend Section 9947, Revised Codes of 1921, so as to allow an appeal by either party in condemnation proceedings."	287, 350, 370, 387, 391, 442, 506, 531, 563, 575, 578, 600.
299	A Bill for an Act entitled: "An Act defining vivisection and prohibiting the practice thereof."	287, 324.
300	A Bill for an Act entitled: "An Act to amend Section 103 of the Revised Codes of Montana of 1921, relating to the certification, entitling, and numbering of initiative and referendum measures; the printing of same on the official ballot and repealing all Acts and parts of Acts in conflict herewith."	290.
301	A Bill for an Act entitled: "An Act appropriating money for the State Highway Commission for the period beginning July 1, 1927, and ending June 30, 1929."	298, 317, 346, 363, 381, 441, 530, 540, 562, 594.
302	A Bill for an Act entitled: "An Act appropriating money for the State Highway Commission for the period beginning January 1, 1927, and ending June 30, 1927."	298, 317, 346, 363, 371, 382, 441, 530, 540, 562, 594.
303	A Bill for an Act entitled: "A supplementary appropriation bill authorizing the State Board of Examiners to purchase and install a system of records for the use of the consolidated boards and making an appropriation of money for that purpose."	306, 345.
304	A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance of the Agricultural Experiment Station and substations and for farmers' extension work, for the period beginning July 1, 1927, and ending June 30, 1929."	306, 317, 346, 363, 384, 390, 442, 607, 608, 633, 634, 636, 644, 651, 655, 656, 658, 659, 660, 661.
305	A Bill for an Act entitled: "A supplementary appropriation bill appropriating money to refund Fallon County for money paid to its sheriff, C. E. Burrell, for the extradition of Roy A. Gilman."	330, 345, 382, 395, 396, 413, 423, 441, 481, 498, 500, 520, 524.

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306	A Bill for an Act entitled: "An Act to appropriate funds for the payment of claims due to the Industrial Accident Board of the State of Montana, as assessments against certain State institutions from January 1 to June 30, 1925."	330, 345, 382, 395, 396, 413, 423, 441, 461, 480, 486, 487, 528.
307	A Bill for an Act entitled: "An Act making an additional appropriation of money for the maintenance of certain State Departments for the period from July 1, 1925, up to and including June 30, 1927."	330, 345, 382, 395, 396, 412, 420, 426, 441, 551, 552, 559, 599, 603, 609, 653.
308	A Bill for an Act entitled: "An Act appropriating money for the purpose of remodeling and enlarging one of the buildings at the Soldiers' Home for hospital purposes."	346, 359, 406, 413, 430, 432, 441, 530, 540, 562, 594.
309	A Bill for an Act entitled: "An Act appropriating money for the payment of the claim of Andy Briscoe as compensation or as a pension for injuries received while on duty in the service of the State of Montana as a private in the Service Company, 163rd Infantry, Montana National Guard."	357, 371, 406, 413, 424, 428, 441, 499, 505, 517, 521, 524, 529, 574, 581, 613, 653.
310	A Bill for an Act entitled: "An Act appropriating money for the erection and equipment of buildings and for the operation and maintenance of the Eastern State Normal School at Billings for the period beginning July 1, 1927, and ending June 30, 1929."	357, 393, 432, 459, 460, 573, 595, 596, 598, 601, 602.
311	A Bill for an Act entitled: "An Act directing the State Board of Education to conduct a thorough financial survey of the common school system of Montana, authorizing the employment of assistants for said purpose and appropriating five thousand dollars to carry out the provisions of this Act."	415, 416, 417, 441, 445, 573, 574, 595, 598, 600, 604, 612, 644, 655, 656, 658, 659.
312	A Bill for an Act entitled: "An Act to provide for the support of the Government of the State of Montana for the years 1927 and 1928."	415, 416, 432, 441, 519, 532, 562, 613.

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315	A Bill for an Act entitled; "A supplementary appropriation bill appropriating money out of the State Treasury of the State of Montana for the use of the State Board of Equalization to be paid out of any moneys which have been or may be credited to the State Highway Fund in carrying out the provisions of House Bills Nos. 117 and 119 of the Twentieth Legislative Assembly of 1927, relative to gasoline license taxes and rebates thereof."	465, 466, 511, 521, 526, 532, 597, 599, 613.
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317	A Bill for an Act entitled: "An Act appropriating money for the payment of refunds or drawbacks under the provisions of Chapter 17 of the Laws of the Twentieth Legislative Assembly, of license taxes paid by dealers in gasoline for the two years beginning July 1, 1927, and ending June 30, 1929."	476, 515, 536, 553, 555, 597, 599, 630, 636.
318	A Bill for an Act entitled: "An Act appropriating money for the payment of refunds or drawbacks under the provisions of Chapter 17 of the Laws of the Twentieth Legislative Assembly, of license taxes paid by dealers in gasoline for the period beginning January 1, 1927, and ending June 30, 1927."	476, 515, 536, 553, 555, 556, 597, 599, 613.
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320	A Bill for an Act entitled: "An Act making a supplementary appropriation, authorizing, empowering and directing the State Board of Examiners to install a water works system at the Montana School for the Deaf and Blind at Boulder and appropriating money therefor and directing the manner in which it shall be expended."	526, 527, 559, 575, 576, 608, 611, 653.
321	A Bill for an Act entitled: "A supplementary appropriation bill appropriating money out of the Treasury of the State of Montana for the collection of all non-resident, inheritance taxes, oil production, license taxes, corporation license taxes, cement and plaster producers and dealers license taxes, coal miners and dealers license taxes, gross metals mines license taxes, all gross earnings taxes on freight lines, express companies, sleeping car line, and any other taxes determined by the State Board of Equalization, collection of which is transferred from the State Treasurer to the Board of Equalization by Senate Bill No. 85 of the Twentieth Legislative Assembly of 1927."	526, 528, 559, 575, 576, 596.
322	A Bill for an Act entitled: "An Act appropriating the sum of Eleven Thousand Dollars (\$11,000.00), or so much thereof as may be necessary, for the administration of the oil and gas division of the Board of Railroad Commissioners of the State of Montana and the supervision of the drilling, plugging and abandonment of oil and gas wells in the State of Montana up to July 1, 1927, and declaring an emergency and making this appropriation immediately available."	560, 561, 583, 588, 589, 590, 591, 604, 608, 658, 659.
323	A Bill for an Act entitled: "A supplementary appropriation bill appropriating the sum of \$25,000.00 to pay the mileage and per diem of the members of the Senate and of the managers appointed by the House of Representatives of the State of Montana, for the trial of the articles of impeachment preferred against C. T. Stewart, Secretary of State, and to defray all other expenses incident to said impeachment proceedings."	575, 578, 579, 602, 604, 608, 631, 636.
324	A Bill for an Act entitled: "An Act appropriating money for the payment of the claim of Catharine Crossland Smith as compensation for expenses incurred by her husband, the late Robert B. Smith,	

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326	A Bill for an Act entitled: "An Act making an additional appropriation of money for the maintenance of certain State Departments for the period from July 1, 1925, up to and including June 30, 1927."	583, 588, 591, 603, 605, 609, 610, 613, 653.
327	A Bill for an Act entitled: "An Act making an additional appropriation of money for the maintenance of certain State Departments for the period from July 1, 1925, up to and including June 30, 1927."	583, 588, 589, 591, 592, 604, 605, 609, 610, 613, 653.
328	A Bill for an Act entitled: "An Act making an additional appropriation of money for the maintenance of certain State Departments for the period from July 1, 1925, up to and including June 30, 1927."	583, 588, 589, 591, 592, 604, 605, 609, 610, 613, 658, 659.

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2	"An Act to amend Section 8912 and 8813, Revised Codes, Montana, 1921, defining Judicial Districts within the State of Montana and designating the number of judges thereof, and abolishing the Twelfth Judicial District, as now constituted, attaching Chouteau County to the Eighth Judicial District, and renumbering all districts from and subsequent to the Twelfth District to conform to the reduction herein made; and designating the number of judges for said districts."	49, 205, 206, 265, 311, 320, 327, 429.
3	"An Act to amend Chapter 188 of the Laws of 1925 relating to the licensing of dealers in oleomargarine or other substitutes, dairy products and fixing the fees for the same and providing penalties for the violation of the Act."	49, 112, 130, 173, 189, 197, 202, 239, 257.
4	"An Act to amend Section 632 of the Revised Codes of the State of Montana of 1921. As amended by the Chapter 118 of the Session Laws of the Nineteenth Legislative Assembly, and adding thereto a Section to be designated as Section 632-B, all relating to the Primary Election Laws."	53, 241.
5	"An Act to prevent the stealing of meat cattle by controlling the slaughter of the same by controlling the sale of the products thereof, providing a system of inspection and tagging of the hides and meat of such cattle, providing a penalty for the violation of the provisions of the Act, and repealing Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 of Chapter 75 of the Laws of Montana of the 1923 Session."	54, 193, 194, 243, 255, 283, 300, 307, 310, 387, 459, 463, 486, 487, 511.
6	"An Act to amend Section 180 of the Revised Codes of Montana of 1921, as amended by Chapter 111. Acts of the Nineteenth Legislative Assembly, relating to the interest on State warrants."	57, 60, 71, 94, 95, 111, 117, 124, 147.

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7	"An Act to amend Section 8813 of the Revised Codes of Montana of 1921 relating to the number of judges in each judicial district of the State of Montana."	57, 265.
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10	"A Bill for an Act to amend Section 12427 of the Revised Codes of Montana of 1921, relating to the accounts of the person selected by the Governor to return a fugitive from justice, and providing that the same shall be a charge against the county making application to the Governor."	58, 124.
11	"An Act to amend Section 12464 of the Revised Codes of Montana of 1921 relating to the expenses of sheriffs in delivering prisoners to the State Prison and providing that such expense shall be a charge against the county."	58, 124.
12	"An Act to amend Section 2238, Revised Codes of Montana, 1921, as amended by Chapter 102, Session Laws 1923, relating to the collection of personal property taxes."	61, 131, 159, 174, 190.
13	"An Act amending Section 852 of the Revised Codes of Montana, 1921, and making the Eastern Montana State Normal School at Billings part of the University of Montana; and amending Section 854 of the Revised Codes of Montana, 1921, and authorizing the State Board of Education to Grant diplomas and to confer degrees on the graduates of the Eastern Montana State Normal School at Billings."	61, 652.
14	"An Act to amend Section 1760 of the Revised Codes of Montana of 1921 as amended by Chapter 107 of the Laws of the Eighteenth Legislative Assembly relating to the registration fees for motor vehicles and the disposition thereof, and repealing all Acts and parts of Acts in conflict herewith."	61, 244, 284, 308, 310, 463, 464.
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17	"An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 4 of Article XVI of the Constitution of Montana, relating to County Commissioners; providing for the division of counties into Commissioner Districts; providing for the election of one Commissioner from each of said Commissioner Districts."	66, 222, 243, 267, 284, 299, 311, 321, 339, 349, 374, 398, 433, 536, 543, 545, 547, 560.
18	"An Act to amend Subdivision (c) of Section 1, Chapter 154, Laws of 1923, relating to the supervision and regulation of transportation by motor vehicles to exclude from the term "Transportation Company" as therein defined and from regulation pursuant to said Act, all private carriers, school busses, funeral vehicles, vehicles operated exclusively in transporting agricultural, horticultural or dairy or other farm products from the point of production to the market and Star Route operators or contractors not competing with common carriers by rail."	66, 136.
19	"An Act to amend Section 632 of the Revised Codes of Montana of 1921 as amended by Chapter 118, Acts of the Nineteenth Legislative Assembly relating to the date of holding primary elections."	71, 80, 103, 112, 122, 127, 133, 147.
20	"An Act to amend Sections 853 and 858 Revised Codes of Montana 1921, relating to the powers and duties of the State Board of Education in connection with the University of Montana and to add a new Section, to be designated as Section 853-A, providing for the appointment by the State Board of Education of a business manager for the University of Montana and prescribing his powers and duties."	85, 176, 340, 349, 374.
21	"An Act to amend Section 4936, Revised Codes of Montana, 1921, relating to the fees of witnesses in civil and criminal actions or proceedings in courts of record, or before a referee, or officer authorized to take depositions, or commissioners to assess damages or otherwise."	85, 124.
22	"An Act to amend Section 10295, Revised Codes of Montana, 1921, relating to estates and providing that an executor or administrator may be cited to	

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	account after his authority ceases or is revoked, that in case of the death of an executor, administrator or guardian his accounts may be presented by his personal representative to the court for settlement and that upon the petition of the successor of such deceased executor, administrator or guardian such court may compel the personal representative of such deceased executor, administrator or guardian to render an account of the administration of his testator, intestate or ward."	85, 123, 151, 168, 171, 181, 189, 195, 206, 222, 239, 257, 267.
23	"An Act to amend Section 10482, Codes of Montana, 1921, relating to a Mother's Pension and prescribing the conditions to which the allowance to the mother for the support of her dependent child or children is subject."	86, 124, 151, 168, 181, 189, 195, 239, 257.
24	"An Act providing for the alteration of boundaries of incorporated cities and towns, and the exclusion of territory from the corporate limits thereof; granting power to the councils of such cities and towns to enact resolutions for that purpose; and providing for the payment of any outstanding bonded or other indebtedness of such excluded portion."	104, 160, 192, 222, 253, 254, 307, 370, 438, 453.
25	"An Act to amend Section 5039 of the Revised Codes of Montana of 1921, as amended by Chapter 115 of the Session Laws of the Nineteenth Legislative Assembly, relating to powers of city councils by adding thereto a new subsection to be known as "Subsection 84" giving the city or town council power to acquire lands by purchase, gift or condemnation, either within or without the corporate limits of the municipality, for landing fields for aircraft, and conferring municipal jurisdiction over the same."	104, 159, 192, 238, 241, 248, 261, 274, 309, 322, 517.
26	"An Act to repeal Section 1075 of the Revised Codes of Montana of 1921, relating to the tenure of office of teachers."	105, 160, 192, 312, 320, 321, 327, 454, 463, 472, 485, 486, 514, 517, 518, 543.
27	"An Act relating to the sale of real property for delinquent taxes, and to amend Sections 2217, 2218, 2219, 2220, 2221, 2231, 2232 and 2233 and to repeal Sections 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2201, 2202, 2204, 2205, 2206, 2207, 2208.	

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28	"An Act to regulate and license manufacturers, dealers, distributors, purveyors and sellers of gasoline, kerosene, distillate, lubricating oil or grease, road oil, fuel oil and oil and grease for boilers, providing a license for the right to engage in said business within the State of Montana, and fixing the fees therefor; requiring all such commodities to meet tests in this Act prescribed and provided; providing for the posting of notices of the grade and character of the commodity sold; providing for the inspection of such commodities when dangerous to life, and originating in points outside the State of Montana and shipped therein; permitting manufacturers, dealers and distributors the right to adopt and register a trade name and forbidding infringement thereof; recognizing that said commodities have become affected with a public interest and are devoted to a public use, and providing that the Public Service Commission of Montana may fix reasonable maximum prices for said commodities and prohibiting discrimination in the distribution thereof, and clothing said commission with power to compel dealers in said commodities to meet representations and advertisements, with respect thereto and to prescribe suitable and accurate meters and measuring devices for the sale thereof, fixing penalties for the enforcement of this Act, fixing penalties for the violation of this Act, and investing the Public Service Commission of Montana with the enforcement and administration thereof, and making thereto the provisions of law now existing relating to complaints before said Commission, decisions thereby and appeals therefrom; and repealing Sections 4193, 4194, 4195, 4196, 4197, 4198, 4199, 4200, 4201, 4202, 4203, 4204, 4205, 4206, 4207, 4208, Revised Codes of Montana, 1921."	113, 265, 321, 377, 435, 436, 509, 512, 513, 514, 535, 536, 543, 562, 574, 606, 607, 608, 634, 653, 656, 660.
29	"An Act to repeal Section 11039 of the Revised Codes of Montana of 1921 relating to keeping open places of amusement on Sunday."	113, 244, 283, 308, 310, 328, 370, 438, 453.

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30	"An Act assenting to the provisions of an Act of Congress entitled: 'An Act to authorize the more complete endowment of the Agricultural Experiment Stations and for other purposes.' Approved February 24, 1925."	124, 151, 183, 220, 221, 236, 261, 274, 309, 322.
31	"An Act to amend Section 8 of Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and to provide for the publication of delinquent tax list."	124, 131, 159, 174, 279, 305, 306, 466, 467, 468.
32	"An Act to amend Section 7148 of the Revised Codes of Montana, 1921, and to provide for collection of charges for services by Water Commissioner or Commissioners."	131, 242, 244, 283, 307, 310, 329, 445, 449, 475.
33	"An Act providing for the valuation and assessment of property for assessment and taxation in the year 1927, and every two years thereafter."	133, 176, 192, 342, 348, 349, 357, 462, 473, 477, 511.
34	"An Act to amend Section 10434, Revised Codes of Montana 1921, relating to the manner of giving notice of hearing of petition for sale of real estate or of real and personal estate of a ward and providing that if written consent to making the order of sale is given by all persons interested in the estate of the ward and by his next of kin notice need not be served or published and such hearing may take place at any time."	131, 222, 254, 326, 332, 533, 534, 560.
35	"An Act providing for filing for record of cooperative association marketing agreements: the effect of such filing for record on the title and possession of the product covered thereby: the right of such association to hypothecate, transfer or assign such agreement: and providing the manner of execution, recording, recording fees, rights and obligations of all parties in interest."	131, 194, 243, 253, 264, 273, 307, 370, 438.
36	"An Act to amend Section 11 of Chapter 113 of the Session Acts of the Nineteenth Legislative Assembly of Montana of 1925 relating to certificates of registration of motor vehicles."	135, 302, 339, 348, 357, 580, 581, 590, 652.
37	"An Act to authorize the State Treasurer of the State of Montana to discontinue the carrying of the State	

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38	"An Act to amend Section 8933 of the Revised Codes of Montana of 1921 relating to salary and mileage of court stenographers."	150, 222, 243, 255, 267, 298, 299, 324, 370, 439, 446.
39	"An Act to amend Section 721 Revised Codes of Montana 1921, as amended by Chapter 151 Session Laws 1923, relating to absent voters ballots."	150.
40	"An Act relating to the borrowing of money, creating of indebtedness and issuing of bonds by incorporated cities and towns, and repealing Sections 5278, 5279, 5280, 5281, 5282, 5283, 5284, 5285, 5286, 5287 and 5288, Revised Codes of Montana 1921."	150.
41	"An Act amending Section 11179 of the Revised Codes of Montana 1921, relating to city or town ordinances concerning gambling and gambling houses, by permitting cities and towns to enact ordinances prohibiting gambling and gambling houses."	160, 206, 267.
42	"An Act to amend Section 101 of the Revised Codes of Montana of 1921, relating to the comparing of the signatures of initiative and referendum petitions."	160, 302, 375.
43	"An Act amending Section 273 of the Revised Codes of Montana, 1921, authorizing the State Board of Examiners to fix the number, compensation, term and tenure of office of all assistants, clerks and stenographers employed by civil executive state officers and limiting the compensation to be fixed by said board to that heretofore allowed by law and providing for report to the Legislative Assembly and repealing all Acts or parts of Acts in conflict herewith."	160, 244, 283, 299, 311, 321, 430, 348, 476, 509.
44	"An Act providing for a budget system for making and controlling estimates, expenditures, budgets and tax levies by, and fixing the fiscal year for first and second class school districts and county high schools; prescribing the duties of Boards of School Trustees, School Clerks, Board of County Commissioners and County Officers in connection therewith; and providing penalties for violations of the provisions of this Act."	160, 265.

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45	"An Act defining the powers of State Stock Inspectors inspecting livestock on removal from one county to another within the State of Montana; authorizing the seizure and sale of such livestock under certain conditions and providing for the disposal of the proceeds thereof."	161, 194, 243, 274, 307, 370, 439, 453.
46	"An Act regulating the fiscal management of, fixing the fiscal year for, and controlling and regulating the raising of revenue and the expenditure thereof during each fiscal year by all cities and their institutions and agencies; requiring the making and filing of estimates of probable revenues from all sources and proposed expenditures for all purposes during each fiscal year; providing for the making and filing of provisional budgets, for the publication thereof for public hearings thereon and for the approval and adoption of annual budgets of expenditures to be made for all purposes during each fiscal year; prescribing the manner of paying claims filed after the expiration of the fiscal year; providing for the raising of revenue, in addition to budget estimates and appropriations, by taxation; providing for the payment of floating indebtedness outstanding at the close of the fiscal year ending June 30th, 1927; providing penalties for the violation of provisions of this Act; and repealing all Acts and parts of Acts in conflict herewith."	161, 265.
47	"An Act regulating the fiscal management of, fixing the fiscal year for, and controlling and regulating the raising of revenue and the expenditure thereof during each fiscal year by all counties and consolidated cities and counties, and their institutions and agencies; requiring the making and filing of estimates of probable revenues from all sources and proposed expenditures for all purposes during each fiscal year; providing for the making and filing of provisional budgets, for the publication thereof, for public hearings thereon and for the approval and adoption of annual budgets of expenditures to be made for all purposes during each fiscal year; prescribing the manner of paying claims filed after the expiration of the fiscal year; providing for the raising of revenue, in addition to budget estimates and appropriations, by taxation; providing for the payment of floating indebtedness outstanding at the close of the fiscal year ending June 30th, 1927; providing penalties for the violation of provisions of this Act; and repealing Sections 224, 225, 226, 227, 228, 229, 230 and 4631. of the Revised Codes of Montana, 1921, and all other Acts and parts of Acts in conflict herewith."	161, 265, 339, 349, 374.
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50	"An Act to amend Section 6118, Revised Codes of Montana, 1921, relating to the licensing of insurance agencies and solicitors."	184, 655.
51	"An Act providing a Commission form of government for counties, providing for the election and appointment of officers therein, defining their powers and duties, and providing for their compensation."	184.
52	"An Act to provide for the right to construct and maintain gas pipe lines in, along and under public roads and highways within the counties of the State of Montana."	184, 194, 255, 282, 287, 463, 473, 485, 512, 513, 519, 560.
53	"An Act to amend Section 4916 of the Revised Codes of Montana, 1921, relating to the fees of sheriffs."	184, 206, 267, 298, 299, 476, 486, 487, 511.
54	"An Act relating to the registration of motor vehicles."	193, 401, 434, 436, 438, 581, 590, 652.
55	"An Act to amend Section 618 of the Revised Codes of 1921 as amended by Chapter 64 of the Laws of the Nineteenth Legislative Assembly, and Section 644 of the Revised Codes of 1921 as amended by Chapter 133 of the Laws of the Eighteenth Legislative Assembly, and Section 619 of the Revised Codes of Montana of 1921 as amended by Chapter 58 of the Laws of the Nineteenth Legislative Assembly relating to the filing of nominating petitions and certificates of nomination for state, county and municipal elections, and the certification of candidates by the Secretary of State to county clerks."	193, 265.
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57	"An Act to amend Section 1230 of the Revised Codes of Montana of 1921 relating to the redemption of	

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107	"An Act to amend Section 162, Revised Codes, Montana, 1921, as amended by Chapter 99, Laws Eighteenth Legislative Assembly, 1923, providing additional compensation for the State Auditor in recognition of the additional duties required of said State Auditor as Commissioner of Insurance ex-officio."	301, 341, 398, 402, 433, 467, 473, 474, 479, 503.

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116	"An Act to amend Section 2 of Chapter 89 of the Session Laws of Montana of 1925 relating to irrigation districts and to the purchase by irrigation districts of certificates of tax sales affecting lands within such districts and relating to the purchase of lands title to which has passed to the county within which such irrigation district is situate on account of delinquent taxes and irrigation assessments, and authorizing the sale of such tax sale certificates and said lands to such irrigation districts without the necessity of the payment of the amount of such delinquent irrigation district assessments, interest and penalty thereon when any such county shall be the holder and owner of any debenture certificate issued unto it by said county under the provisions of Section 3979 of the Revised Codes of Montana 1921, repealing any and all laws and parts of laws in conflict herewith."	314, 342.
117	"An Act to amend Section 1859 of the Revised Codes of Montana of 1921 relating to the cancellation of the certificate of purchase of State Lands and providing for the re-purchase of said lands within fifteen months of the date such certificate is cancelled."	314, 401, 435, 436, 581.
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119	"An Act relating to mortgages; authorizing the insertion in real estate mortgages of a provisions empowering mortgagees to add to the costs of foreclosure the reasonable value of any work done on said land or of any crop grown thereon by any tenant or person in possession of said land other than the mortgagor or those claiming under him."	314.
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121	"An Act abolishing the offices of railroad commissioners and Board of Railroad Commissioners of the State of Montana, and their salaries; transferring their duties and powers of a commission known as the "Public Utilities Commission of the State of Montana," composed of the State Auditor, Commissioner of Agriculture, and State Engineer, acting without additional compensation; prohibiting free transportation; repealing Section 3779 and amending Sections 3784 and 3785 Revised Codes of Montana of 1921."	314, 342.
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123	"An Act authorizing the issuance of not to exceed thirty-two thousand dollars (\$32,000) of the Capitol Building Bonds authorized by Section 5581, Revised Codes of Montana of 1921, for the purpose of paving and otherwise improving the State Capitol Grounds and adjacent streets."	314, 377.
124	"An Act to amend Section 5306 Revised Codes of Montana 1921, relating to the closing of streets and alleys, and parts thereof in incorporated cities and towns, providing for the filing of objections thereto, and for a public hearing thereon by the city or town council."	315.
125	"An Act amending Sections 1051 and 971 of the Revised Codes of Montana, 1921, relating to the manner of taking the school census; defining residence for school census purposes; fixing compensation of the Clerk and providing penalties for false and fraudulent reports; providing for examination of such reports and for elimination of duplications of fictitious names and for notice of such action by the County Superintendent of Schools; providing for a duplicate copy to be filed with the Bureau of Labor and Industry and an alphabetical index to be sent to the Superintendent of Public Instruction for the elimination of duplication of names between counties."	315, 376, 435, 436, 511, 521, 533, 534, 564, 588.
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127	"An Act to amend Section 2739 of the Revised Codes of Montana of 1921, relating to the salary of State Fire Marshal, by increasing the salary to three thousand dollars per annum.".....	312, 341, 402.
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136	"An Act providing for the release of chattel mortgages from county records when same has been paid, and providing for a penalty for failure to release said mortgages."	313, 377.
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9	"A Resolution providing for a proclamation from the Governor of the State of Montana each year declaring that the Sunday preceding the Fourth of July (or on the Fourth of July, when it falls on a Sunday) be dedicated to religious patriotic services."	288, 293, 335, 363, 379, 441, 505, 530, 531.
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8	Relative to the appointment of a representative by the Governor who shall serve as a representative of the State of Montana on a joint commission composed of one representative from each of the states—Montana, Idaho, Washington and Oregon—relative to the apportionment of the waters of Flathead river and lake.	268, 376, 435, 436, 437, 485, 501, 508, 543.
9	No reference.	
10	Relating to publication of amendments to the Constitution of the State of Montana.	312, 340, 397, 402, 434.
SENATE CONCURRENT RESOLUTIONS IN HOUSE.		
9	Concurrent Resolution memorializing the Congress of the United States to abolish the Federal Estate Tax. (No other numbers shown.)	315, 377, 436, 437, 462, 473, 477, 480, 525.
SENATE JOINT MEMORIALS IN HOUSE.		
1	Memorial to the Congress of the United States, praying for the immediate passage of the Tyson-Fitzgerald bill, an act for the relief of disabled emergency army officers now pending.	184, 283, 309, 310, 321, 445, 452, 472.
2	A memorial to the House of Representatives of the United States in Congress assembled, to adopt the Senate Joint Resolution proposing an amendment to the Constitution of the United States fixing the terms of President and Vice President and members of Congress, and fixing the time of the assembling of Congress.	256, 312.
3	Memorial to the Congress of the United States to enact such legislation as may be necessary to require payment of all moneys received from each Forest Reserve, after deducting administrative and other expenses, to the State or territory in which such forest reserve is located for the benefit of the public schools and public roads of such State or territory.	268, 311, 320, 327, 336, 445, 452, 486.
4	A Memorial to the Senate of the United States protesting against the enactment of House Calendar No. 204, S. 481 (Report No. 911), commonly known as the "Corn Sugar Bill."	301, 377, 435, 436, 437, 485, 501, 507, 543.
MISCELLANEOUS (IN HOUSE).		
	Report of State fire Insurance Department.....	7.

No.	Title of Act	Page.
	Report of Banking Code Commission.....	10.
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HOUSE JOURNAL

OF THE

TWENTIETH LEGISLATIVE ASSEMBLY

OF THE

STATE OF MONTANA

FIRST DAY

House of Representatives,
Helena, Montana, January 3, 1927.

Pursuant to law, at the hour of 12:00 noon, the House of Representatives of the Twentieth Legislative Assembly of the State of Montana, was called to order by the Honorable C. T. Stewart, Secretary of State, of the State of Montana.

At the request of the Secretary of State, the Reverend W. D. Lear of Ravalli County, offered an invocation.

The Secretary of State then temporarily appointed the following:

H. J. Faust, of Granite County, Chief Clerk.

J. L. Murphy, of Prairie County, Assistant Chief Clerk.

The roll was called and all members were found to be present and presented their certificates of election.

Whereupon the Secretary of State introduced the Honorable Albert T. Galen, Associate Justice, who administered the following oath of office to the members present:

"We, the undersigned, do solemnly swear (or affirm) that we will support, protect and defend the Constitution of the United States and the Constitution of the State of Montana, and that we will discharge the duties of our office (member of the House of Representatives, 20th Session) with fidelity; and that we have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure our nomination or election (or appointment), except necessary and proper expenses expressly authorized by law; that we have not knowingly violated any election law of this state, or procured it to be done by others in our behalf; that we will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to our office other than the compensation allowed by law. So Help Me God."

The foregoing oath was subscribed and sworn to by the following members:

Abrahamson, John C.; Adair, Hugh R.; Akofer, Chas. A.; Arnold, S. C.; Ballard, W. T.; Benjamin, H. E.; Benson, Ben N.; Barry, George; Besancon, Albert; Bonine, G. J.; Bretzke, Lou E.; Bricker, R. C.; Brown, W. A.; Budas, Albert; Burke, Ed.; Burns, Harry L.; Cavanaugh, Miles J.; Chatham, Jas. F.; Cheadle, Edwin K. Jr.; Clarke, Walter E.; Clausen, C. C.; Cooney, E. H.; Curran, Mrs. Lucy A.; Darlington, G. W.; Davis, G. T.; Dellwo, Dennis A.; Donaldson, Harry C.; Doran, Tod; Dougherty, Ralph; Dunn, Robert J.; Erickson, L. N.; Foot, E. B.; Flachsenhar, W. R.; Fulsher, Dr. Fred R.; Goodwin, Phil C.; Green, Andrew; Green, H. R.; Gustafson, Geo. W.; Hagerty, Dan F.; Hardcastle, Ernest, A.; Harris, Orville; Hodgskiss, J. E.; Holton, Albert; Jameson, W. J., Jr.; Jensen, S. R.; Johnson, Elmer;

Jones, Dudley; Jones, Harry C.; Jones, Hugh M.; Kelly, Pat A.; Knight, J. B. C.; Knowles, S. H.; Kroman, Chas. L.; Lamb, Edwin M.; Larson, Robert; Leavens, Robert; Leavitt, W. B.; Lillis, B. C.; Logan, E. U.; Lowry, R. B.; McCleary, Frank; McLeod, Ralph L.; Marshall, M. R.; Mason, George; Merritt, Clarence; Miller, N. U.; Miller, Timothy; Moss, G. M.; Moulton, B. F.; Mulholland, M. J.; Murphy, Charles F.; Nagle Raymond T.; Nelson, Ben; Nelstead, T. E.; Nicholson, Stuart H.; O'Day, R. S.; Plank, Leonard; Plumer, A. J.; Prescott, C. R.; Reed, Grant; Rife, Frank; Rockwood, J. E.; Rognlien, I. D.; Rorvik, Elias; Ryder, Arthur; Sample, H. A.; Shields, Ed.; Sparling, James T.; Stambaugh, Guy; Steeves, M. D.; Sutton, E. F.; Throburn, William B.; Throssel, Richard; Tierney, Wm. P.; Tinsley, Basil; Troy, T. J.; Waite, W. T.; Warren, W. E.; Westlake, A. E.; White, Arthur; Willard, Asa Dr.; Woodcock, John W.

The Secretary of State having called for nominations for Speaker, Bricker nominated G. T. Davis and Nagle nominated Albert Besancon. There being no other nominations the Secretary of State declared the nominations closed. The roll was called and the following votes were cast:

For Davis: Arnold, Benson, Bretzke, Bricker, Budas, Burns, Besancon, Cavanaugh, Cheadle, Clarke, Claussen, Cooney, Curran, Darlington, Donaldson, Dunn, Erickson, Foot, Flachsenhar, Green of Fergus, Green of Dawson, Gustafson, Harris, Hodgskiss, Holton, James, Johnson, Jones of Phillips, Jones of Ravalli, Jones of Cascade, Knight, Knowles, Kroman, Leavens, Leavitt, Lillis, Logan, McLeod, Marshall, Merritt, Miller of Fergus, Moss, Moulton, Nelson, Nelstead, Reed, Rockwood, Rorvik, Ryder, Sample, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Troy, Waite, Warren, White, Willard.—Total 60.

For Besancon: Abrahamson, Adair, Akofer, Ballard, Benjamin, Barry, Bonine, Brown, Burke, Chatham, Davis, Dellwo, Doran, Fulsher, Hagerty, Hardcastle, Jensen, Kelly, Lamb, Lowry, McCleary, Mason, Miller of Lincoln, Mulholland, Murphy, Nagle, Nicholson, O'Day, Plank, Prescott, Rife, Rognlien, Shields, Tierney, Tinsley, Westlake, Woodcock.—Total 37.

For Nagle: Goodwin.

Members not voting: Dougherty, Larson, Plumer, Sparling.—Total 4.

The Secretary of State appointed Besancon and Cooney to escort Mr. Speaker to the chair.

Mr. Speaker having assumed the chair, Bricker submitted the following motion which was duly seconded and carried.

"Mr. Speaker: I move that the Rules and Joint Rules and Order of Business of the 19th Legislative Assembly be accepted as the Rules and Joint Rules and Order of Business of the 20th Legislative Assembly until a Committee on Rules and Joint Rules and Order of Business shall report."

Moved by Bricker, duly seconded and carried, that the following Republican nominees be elected as officers and attaches:

Speaker Pro Tem—G. M. Moss.

Floor Leader—R. C. Bricker.

Chaplain—Rev. W. D. Lear.

Sergeant-at-Arms—A. E. McFatridge.

Assistant Sergeant-at-Arms—Harry Whitcomb.

Assistant Sergeant-at-Arms—Wm. Garrigus.

Chief Clerk—H. J. Faust.

Assistant Chief Clerk—J. L. Murphy.

Journal Clerk—Grace Dundas.

Engrossing Clerk—Henry Delaney.

Enrolling Clerk—Laura Winkler.

Bill Clerk—Margueritte Moore.

Printing Clerk—Charles Morelli.

Reading Clerk—Earl Cook.

Doorkeepers—Jack Johnson and A. E. Cumming.

Telephone Operator—Amanda Fasel.

Pages—James E. Zackery, Jack McNamara.

Moved by Besancon, duly seconded and carried, that the following Democratic nominees be elected as officers and attaches:

Speaker Pro Tem—Raymond T. Nagle.

Chaplain—Rev. W. D. Lear.

Sergeant-at-Arms—John Berne.

Assistant Sergeant-at-Arms—W. F. Mullaney.

Assistant Sergeant-at-Arms—Cain Connors.

Chief Clerk—Frank Feeney.

Assistant Chief Clerk—J. E. Carroll.

Journal Clerk—W. B. Hennessy.

Reading Clerk—M. E. Frogge.

Engrossing Clerk—James Duffy.

Bill Clerk—John Hall.

Printing Clerk—B. S. Sullivan.

Doorkeepers—Jerry McCarthy, William Casey.

Head Janitor—Dominick Spogen.

Assistant Janitor—Larry Spencer.

Pages—Robert Brown, Bob McAllister, John McNamara, Glenn Schurmeyer.

Moved by Bricker, duly seconded and carried, that the Chief Clerk be instructed to cast 61 votes for the Republican nominees and 37 votes for the Democratic nominees. The vote was so cast.

Rev. W. D. Lear received the unanimous vote of both parties for chaplain.

Moved by Bricker, duly seconded and carried, that a committee of three be appointed to notify His Excellency the Governor that the House had organized and was ready for any message he might wish to convey.

Moved by Bricker, duly seconded and carried, that a committee of three be appointed to notify the Honorable Senate that the House was duly organized and ready for business.

Moved by Moss, duly seconded and carried, that the Speaker be authorized to appoint a stenographer and page for work in connection with his office.

Whereupon the Speaker appointed June Snow as his stenographer and Dudley Fulton as page.

Mr. Speaker then named the following committees:

To Notify Senate: Troy of Hill, Willard of Missoula, Tinsley of Madison.

To Notify Governor: Leavens of Yellowstone, Besancon of Missoula, Flachsenhar of Prairie.

Moved by Bricker, duly seconded and carried that the House recess and resume order at the call of the chair.

HOUSE RESUMED

The House resumed at 1:00 P. M.

Mr. Speaker in the chair.

The committee appointed to notify His Excellency the Governor of organization reported that His Excellency the Governor requested that a joint session be held tomorrow, Tuesday, January 4, at 11:00 A. M., at which time he would be ready to appear and deliver his message.

Mr. Speaker then named the following committees:

House Employees and Attachees: Ryder of Roosevelt, chairman; Clarke of Rosebud, Troy of Hill, Johnson of Valley, Hagerty of Glacier.

Mileage and Per Diem: Clarke, Rosebud, Chairman; Reed, Broadwater; Bretzke, Valley; Shields, Cascade; Akofer, Pondera.

Seating: Leavens, Yellowstone, chairman; Nelstead, Carter; Johnson, Valley.

A committee from the Senate reported that the Honorable Senate was organized and ready for business.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:30 A. M., Tuesday, January 4th.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

SECOND DAY

House of Representatives,
Helena, Montana, January 4, 1927.

House met pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

Mr. Speaker announced that if there were no objections the reading of the Journal would be dispensed with until Wednesday, January 5. There being no objections, it was so ordered.

On roll call all members, except Dougherty of Ravalli, were present.

Committee from the Senate appeared and announced that the Senate was in recess and ready to meet with the House to hear the Governor's message.

Mr. Speaker named the following committees:

Rules, Joint Rules and Order of Business: Moss, Flathead, chairman; Speaker; Cooney, Cascade; Besancon, Missoula.

Journal: Darlinton, Gallatin, chairman; Bretzke, Valley; Nagle, Lewis and Clark.

Enrolling: Waite, Powder River, chairman; Merritt, Musselshell; Jones, Phillips; Arnold, Stillwater; Tierney, Sanders.

Engrossing: Green, Dawson, chairman; Thorburn, Wheatland; Nestead, Carter; Sutton, Petroleum; Lowry, Fallon.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Arnold: A Bill for an Act entitled: "An Act for the refund to consumer of any gasoline tax paid by consumer, where proper proof shows that the gasoline was used for farm tractors, when used for farm work upon the farm, stationary engines, motor boats, gasoline driven railway cars, and illumination."

By Ryder: A Bill for an Act entitled: "An Act to amend Section 1999 of the Revised Codes of Montana of 1921, relating to the classification of taxable property."

By Besancon: A Bill for an Act entitled: "An Act prohibiting over-insurance, defining the same, providing penalties therefor and determining value of property when insured and destroyed."

By Besancon and Prescott: A Bill for an Act entitled: "An Act to amend Sections 715, 716 and 720, Revised Codes, 1921, and Section 717 as amended by Chapter 151, Session Laws, 1923, relating to voting by absent voters and to extend the provisions thereof to persons incapacitated by sickness or injuries."

By Besancon and Marshall: A Bill for an Act entitled: "An Act prescribing the powers, duties and limitations and providing for the incorporation, management, operation, control and supervision of Building and Loan Associations. A complete code for such and similar associations and repealing present statutes relating thereto."

INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced by Reed of Broadwater, read first and second times, and referred to Appropriations Committee:

House Bill No. 1, by Reed: "A Bill for an Act Entitled: "An Act to appropriate money for the payment of mileage and per diem to the members of the Twentieth Legislative Assembly of the State of Montana and per diem to the officers and attaches of the Twentieth Legislative Assembly of the State of Montana and for incidental expenses of the Twentieth Legislative Assembly of the State of Montana.'"

MOTIONS AND RESOLUTIONS

House Resolution No. 1, introduced by Bricker, Moss, Besancon and Nagle, was read first and second times and referred to Employment Committee:

WHEREAS, for the information of the Members of the House of Representatives of the Twentieth Legislative Assembly of the State of Montana, and for the expedition of the business of said House, it is necessary that a daily synopsis of the proceedings of said House and a status sheet of bills be supplied to the members,

NOW, THEREFORE, BE IT RESOLVED: That A. A. Pelletier, a court reporter, be and he is hereby employed to collect the data necessary for such synopsis and data sheet; that for the duration of the Twentieth Legislative Assembly he shall report the proceedings and furnish such synopsis to the printer not later than nine o'clock p. m. of each day and shall prepare and furnish to the printer the aforesaid data sheet not later than noon of each Monday and Thursday; that he shall receive the sum of Six Hundred Dollars as compensation for such services.

Moved by Bricker, duly seconded and carried, that the House recess until 11:00 A. M.

HOUSE RESUMED.

House resumed at 11:00 A. M.

Mr. Speaker in the chair.

The Speaker instructed the Sergeant-at-Arms to notify the Senate that the House was awaiting its presence and to invite the members of the Senate to be seated with the members of the House. The members of the Senate then appeared and occupied seats accordingly.

The Speaker announced that the Lieutenant Governor, W. S. McCormack, presiding officer of the Senate, would preside over the Joint Session.

The Secretary of the Senate called the roll of the Senate and the Chief Clerk of the House called the roll of the House. A quorum of both Houses being present, the Joint Session convened.

Moved by Bricker, duly seconded and carried, that a committee of three be appointed to notify His Excellency the Governor that the members of the Senate and House were in Joint Session and ready to hear his message. The Lieutenant Governor appointed: Senator McCabe, Senator Garber, Representative Besancon.

Lieutenant Governor announced that His Excellency the Governor was ready to appear and deliver his message.

His Excellency, Governor Erickson, then appeared and on being escorted to the Chief Clerk's desk, was introduced by Lieutenant Governor McCormack, then delivered his message to the members of the Senate and House in Joint Session assembled.

A committee then escorted His Excellency the Governor to his chambers.

Moved by Bricker, duly seconded and carried, that 1,000 copies of the Governor's Message be printed for distribution.

Moved by Senator Griffin, duly seconded and carried, that the Joint Assembly be dissolved and that the members of the Senate retire from the hall of the House.

There being no objections, the House reverted to Order of Business No. 1.

COMMUNICATIONS AND PETITIONS

The following communication was received from Lewis and Clark Post No. 2, American Legion of Montana, and referred to the Employment Committee:

WHEREAS there are many needy and deserving men and women who served in the late World's War in the military establishment; and

WHEREAS there may be needy and deserving widows of ex-service men in the State of Montana; and

WHEREAS by Chapter 211 of the Laws of 1921, all such are required to be given preference for appointment or employment with the legislative assembly or other departments of the state government; and

WHEREAS such a preference is justified in consequence of the public services and sacrifices made by the veterans of the World's War; and

WHEREAS it would not appear that any person would wish to see ex-service men or their widows in financial distress because of lack of employment when positions are to be had with the legislative assembly and other departments of the state where they are wholly and entirely capable and competent to fill the same;

NOW THEREFORE, BE IT RESOLVED: That the Senate and House of Representatives of the Twentieth Legislative Assembly of the State of Montana be requested to look with kindly disposition upon, and give preference to the applications of all ex-soldiers, sailors, and marines and their widows for positions which may be available during the legislative session, where the applicants for such positions possess sufficient education, capacity and competency to perform the work and duties incident to any such employment.

BE IT FURTHER RESOLVED that copies of this resolution shall be sent to His Excellency, Governor John E. Erickson, the President of the Senate and the Speaker of the House of Representatives.

A. N. J. DOLAN, Commander.

WILLIAM B. NEVILLE, Adjutant.

CHAS. E. MEYER, Employment Officer.

UNFINISHED BUSINESS

Mr. Speaker excused Erickson of Golden Valley for a few days to attend a meeting at Bozeman.

Chief Clerk requested that all members of the House please hand their Helena addresses to the Sergeant-at-Arms.

Moved by Bricker, duly seconded and carried, that the House adjourn until 11:00 o'clock A. M., Wednesday, January 5th.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

THIRD DAY

House of Representatives,
Helena, Montana, January 5, 1927.

House met pursuant to adjournment at 11:00 A. M.

Mr. Speaker in the chair.

Invocation by Chaplain.

On roll call all members were found to be present except Dunn, Gustafson and Kelly, excused on account of sickness.

The Journal Committee reported as follows:

"Mr. Speaker: 'We, your Committee on Journal, having examined the Journal for the first and second legislative days, find the same to be correct.'

G. W. DARLINTON, Chairman."

COMMUNICATIONS AND PETITIONS

The following communication from State Fire Insurance Department was read:

Helena, Montana, January 4, 1927

Honorable Speaker and Members of the House of Representatives of the Twentieth Legislative Assembly of the State of Montana:

RE: FIRE REGULATIONS FOR PUBLIC SAFETY, MONTANA

Honorable Sirs:

Under the laws of Montana relating to the office of the State Fire Marshal, authority is conferred upon such officer to inspect buildings, relative to fire hazards and public safety.

As State Auditor and State Fire Marshal Ex Officio, in company with Wm. G. Brooks, as State Fire Marshal, serving under my appointment and C. V. Templeton, Jr., a representative of the Board of Fire underwriters, I made an examination and inspection of our state institutions. With the exception of the institutions at Boulder, Galen and Warm Springs I am advised that the defects found in our other institutions, which were of a minor nature, have been remedied.

Believing it to be the duty of an officer charged with matters pertaining to fire regulations for public safety and especially in connection with public institutions, I beg to submit to your honorable body the conditions I found existing at the above institutions, relating to fire protection.

DEAF, BLIND AND FEEBLE MINDED INSTITUTION BOULDER, MONTANA

Under date of the ninth of April, I inspected the Deaf, Blind and Feeble Minded Institution at Boulder. I found the present water supply at this institution inadequate to meet the needs of the institution. Water was being hauled in wagons. The present mains should be increased from four to six inches and fire hydrants changed to a two-stream out-let, which should be extended to the ranch buildings as they are without protection at the present time. There is a static pressure of approximately thirty-six pounds but when the working pressure is tested, it is practically nil. A feasible water supply is available by tapping the Little Boulder or the north fork of the Little Boulder about three miles from the institution. By bringing the water down in a twelve or sixteen inch main, the supply would be furnished for irrigating part of the farm land and also afford ample fire protection and tend to increase other improvements about the buildings.

I have been advised that the State Board of Examiners have approved an appropriation in the sum of \$45,000.00 by which the water supply situation at this institution may be remedied. The value of the buildings at the Boulder Institution is placed at \$794,497.00 and should loss occur to this institution, it would be tremendous, both in property and undoubtedly, life.

STATE TUBERCULOSIS SANATORIUM, GALEN, MONTANA

On the thirteenth of April, the State Tuberculosis Sanatorium at Galen was visited, where an ample supply of water was found but not available for use by reason of lack of storage reservoirs. A large main pipe should be connected with the springs west of Galen, connecting with a reservoir. The flow from the springs should be by gravity to the institution in not less than a ten-inch main. A pump should be installed; a supply tank

of 75,000-gallon capacity erected at least eighty feet above the ground and mains should be installed with sufficient fire hydrants.

At the present time, the barns at the institution have no protection.

The present value placed upon the buildings at Galen is \$214,951.00 and with the proper installation of fire protection apparatus, loss of life and property would be avoided.

STATE HOSPITAL FOR INSANE, WARM SPRINGS, MONTANA

On the fourteenth of April, in visiting this institution, I found an ample supply of water but the mains have been in service for a period of thirty-two years and when they were examined, were found to be as soft as clay. These pipes should be replaced at once.

The valuation of the buildings at this institution has been placed at \$1,105,391.21.

It occurs to me in submitting this report to the Legislative Assembly that a joint committee consisting of three members from each House should be selected and with the State Auditor and Fire Marshal Ex Officio and the State Fire Marshal, investigate the conditions as outlined at these institutions for the purpose of remedying the existing conditions.

Respectfully submitted,

GEO. P. PORTER,

State Auditor and State Fire Marshal Ex Officio.

The above communication from George L. Porter referred to State Boards and Officers Committee.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce bills as follows:

By Bricker and Besancon: "A Bill for an Act entitled: 'An Act requiring all persons, firms, associations, joint stock companies, syndicates and corporations engaged in, or carrying on the business in this State of selling or using gasoline, distillate and any other volatile and inflammable liquids produced or compounded for the purpose of operating or propelling motor vehicles to pay to the State Treasurer certain license taxes for engaging in and carrying on such business in this State; fixing the amount of such license taxes, providing a method for the assessment, collection and disposition thereof, prescribing penalties for the violation of this Act, and repealing Chapter 156 of the laws of 1921, Chapter 150 of the Laws of 1923, Chapter 186 of the Laws of 1925, Sections 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, and 2396 of the Revised Codes of 1921, initiated measure number 31 approved by the electors of Montana at the General Election, November 2, 1926, and all other Acts and parts of Acts in conflict herewith.'"

By Dellwo: A Bill for an Act entitled: 'A Bill for an Act reserving to the State of Montana a preference right to purchase State warrants hereafter issued with funds arising from the Federal Land Grants and with other funds subject to investment, and prescribing the duties of the State Board of Land Commissioners, of the State Treasurer and of the State Auditor relating to the purchase of such warrants.'"

By Mulholland: A Bill for an Act entitled: "An Act providing for the setting aside of a part of the interest paid on time deposits to build up a fund for the protection of such deposits."

Mr. Speaker announced the appointment of Committee on Appropriations, as follows: Reed, Broadwater, Chairman; Donaldson, Choteau, Vice Chairman; Cooney, Cascade; Logan, Yellowstone; Leavitt, Custer; Jones, Ravalli; Cheadle, Fergus; Troy, Hill; Marshall, Missoula; Green, Dawson; Knowles, Jefferson; Johnson, Valley; Nagle, Lewis and Clark; Tinsley, Madison; Doran, Silver Bow; Lowry, Fallon; Westlake, Gallatin.

Moved by Reed that the House recess until called to order by the Speaker.

Substitute motion by Bricker, duly seconded and carried, that the Committee on Appropriations be excused.

REPORTS OF STANDING COMMITTEES

Committee on Employment reported as follows:

"Mr. Speaker: 'We, your Committee on Employment, wish to submit the following report, to-wit: That we have on this day appointed the following employees to be employed in this House during the coming session:

Position	Name
Assistant Sergeant-at-Arms—	Weidman.
Page—	Oliver.
Night Watchman—	C. M. C. Taylor.
Page—	McLaughlin.
Day Watchman—	James MacMurdo.
Assistant Journal Clerk—	Alice Pomeroy.
Stenographer—	Clare Flynn.
Stenographer—	Gladys Olson.
Stenographer—	Mary Madison.
Stenographer—	Geneva Mensing.
Stenographer—	Mary Fineran.
Assistant Engrossing Clerk—	Amelia Shearer.
Janitor—	Mr. Thompson.
Assistant Bill Clerk—	Pearl Hunter.
Assistant Chief Clerk—	Florence McLaughlin.
Stenographer—	Nora Ballard.
Stenographer—	June Snow.
Stenographer—	Miss Sturman.
Clerk for Judiciary Committee—	Letha O'Neil.
Clerk for Appropriation Committee—	Susan L. Rosman.
Proof Reader—	Miss Sanford.
Stenographer—	Mary Boskis.
Stenographer—	Luella A. Watson.
Stenographer—	Lavina D'Autremont.
	(Report Jan. 6).
Stenographer—	Amanda H. Packer.
Stenographer—	Beulan J. LaMere.
Stenographer—	Mrs. Birley.
Proof Reader—	Edna Gillis.
Proof Reader—	Elizabeth Drake.
Proof Reader—	Marion T. Peters.
Proof Reader—	Sallie Mellen.
Proof Reader—	Margaret Shannon.
Proof Reader—	Louise Zimmerman.
Stenographer—	Ernest Mikkelson.
Stenographer—	Regina McAndrews.
Clerical work—	Chas. Palin.
Copy Holder—	McDonald.
Elevator operator—	Lee Marston.
Assistant Post Master—	Mrs. Alma Angle.

RYDER,

Chairman Committee on Employment."

Moved by Ryder, duly seconded and carried that the above report be adopted.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to committees as follows:

House Bill No. 2, Introduced by Besancon: "A Bill for an Act entitled: 'An Act prohibiting over-insurance, defining the same, providing penalties therefor and determining value of property when insured and destroyed.'" Referred to Committee on Insurance.

House Bill No. 3, Introduced by Besancon and Prescott: "A Bill for an Act entitled: 'An Act to amend sections 715, 716, 720, Revised Codes 1921, and Section 717 as amended by Chapter 151, Session Laws, 1923, relating to voting by absent voters and to extend the provisions thereof to persons incapacitated by sickness or injuries.'" Referred to Committee on Privileges and Elections.

House Bill No. 4, Introduced by Besancon and Marshall: "A Bill for an Act entitled: 'An Act prescribing the powers, duties and limitations and providing for the incorporation, management, operation, control and supervision of building and loan associations; a complete code for such and similar associations and repealing present statutes relating thereto.'" Referred to Committee on Banks and Banking.

Moved by Reed, duly seconded and carried, to revert back to Order of Business No. 4.

REPORT OF STANDING COMMITTEES

Committee on Appropriations reported on House Bill No. 1 as follows:

January 5, 1927

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 1, introduced by Reed, "A Bill for an Act entitled: 'An Act to appropriate money for the payment of mileage and per diem to the members of the Twentieth Legislative Assembly of the State of Montana and per diem to the officers and attaches of the Twentieth Legislative Assembly of the State of Montana and for incidental expenses of the Twentieth Legislative Assembly of the State of Montana,' respectfully report as follows: That House Bill No. 1 do pass.

REED of Broadwater, Chairman."

Moved by Reed, duly seconded and carried, that the report from the Appropriations Committee be adopted as read.

MOTIONS AND RESOLUTIONS

At this time the following communication from Governor Erickson was read:

Helena, Montana, January 5, 1927

The Speaker, House of Representatives, Helena, Montana:

I have the honor to transmit herewith the report of the Banking Code Commission, referred to in my message on the second day of the session. The several measures suggested by the Commission for your consideration are also transmitted.

J. E. ERICKSON, Governor.

Moved by Bricker, duly seconded and carried, that the report of the Banking Code Commission be considered read at length and referred to Committee on Banks and Banking.

REPORT OF BANKING CODE COMMISSION

Helena, Montana, October 30th, 1926

To The Honorable J. E. Erickson, Governor of the State of Montana, Helena, Montana:

Dear Sir: The undersigned being the "Banking Code Commission" appointed by your Excellency under the terms of Chapter 138 of the Session Laws of Montana, 19th Session, 1925, respectfully reports as follows:

Acting in conformity with the law Your Excellency appointed to membership on said Commission the following named individuals: S. V. Stewart, Helena; C. H. Williams, Deer Lodge and W. A. Brubaker, Terry.

The Commission met and organized by the election of S. V. Stewart as chairman and J. G. Larson, as secretary. Mr. Larson is the Superintendent of Banks for the State of Montana. He agreed to act as secretary

of the Commission and assist in the work thereof without compensation other than that provided by law as Superintendent of Banks.

The commission held numerous meetings at Helena and elsewhere in the State of Montana for the purpose of investigating and causing to be investigated the banking and building and loan associations and other financial laws of the State of Montana, and of the several states of the United States and of the federal government. The Act itself provides that the Commission was not authorized to travel or hold meetings outside of the State of Montana. Therefore, no attempt was made to hold meetings elsewhere. The investigation which the Commission was able to make relative to the laws of other states was of necessity confined to an examination of the statutes, banking, and other codes of those states. The Commission was able to make such examination of the National Banking Laws and the operation of National Banks as was possible within the State of Montana.

In the matter of our own state laws governing banks and building and loan associations the Commission was able to obtain first hand information and to observe the actual operation of the institution doing business within the State.

It may not be out of place to suggest in this report that the creation of this Commission was probably actuated to a great extent by the fact that there had been some agitation in the State of Montana, and particularly within the Legislative Body itself, relative to the possible adoption of what is known as a "Guaranteed Bank Deposit Law." It was generally understood that a part of the duty of this Commission was to investigate the general plan of Guaranteed Bank Deposits and to study the results thereof in the different states wherein the plan has been adopted. It will be readily appreciated that this commission could not conduct a very extensive comprehensive study of the Guaranteed Bank Deposit plan without leaving the State of Montana and going upon the ground where such plans was in effect. The Commission and the members thereof sought by correspondence and through the study of reports to find out as much as possible about the success of the plan in the different states. The study was necessarily incomplete and the result thereof was, of course, unsatisfactory even to the members of the Commission.

The members of this Commission felt that in the light of the fact that they were only able to obtain information as to the matter of Guaranteed Bank Deposits in the manner above indicated that the Commission is not warranted in entering upon a detailed discussion of the merits and demerits of the plan. About all that we can say is that from our study of the question we are convinced that as yet no workable and adequate system of Guaranteed Bank Deposits has been put into effect and tried out in any state in the Union. There is only one State, Nebraska, wherein there is apparent basis claim of success for the plan, and even in Nebraska where the system has been in force for years the matter is still highly controversial. In all of the other states where the plan has been adopted the principle has either been abandoned or is working so badly that no serious claim of success for the plan could be established.

During the life of this Commission an attempt was made in the State of Montana to initiate a measure providing for a law on the subject of guaranteed bank deposits. The Commission watched the progress of this movement with much interest. The members were very desirous of ascertaining the existing public sentiment on the subject. It is a matter of record that the petitions fell far short of obtaining the legal number of signatures required to place the matter upon the ballot. It was the idea of the Commission that if there was apparent in the State a substantial demand for the adoption of a Guaranteed Deposit Law the matter would be manifested in the interest of the people. It is only fair to say that the interest was not acute, and that the people generally were apparently indifferent to such an appeal as the principle might make upon them.

Your Commission is of the opinion that the agitation for the proposed guaranteed bank deposit law, which was manifested in the Legislative Assembly in 1925, was the result of the failure of numerous banks in the State of Montana, and that the attempt generally speaking to amend the banking laws of this State, or scrap our existing banking code and adopt something new in its place, was the result of a belief on the part of the public that these failures were caused by bad banking laws.

It is, of course, regrettable that the years immediately following the close of the World War, and the period of readjustment incident thereto, should have witnessed so many bank failures. The direct cause of these failures is a much mooted question. Many depositors lost heavily and the public naturally surmised that bad bank management and dishonest conduct of the banks were large contributing causes to the failures. As a result, it was quite natural that there should be a demand for laws that would prevent a repetition of the unfortunate conditions. Hence the Banking Code Commission.

Before going further into the facts, it is but fair to review the conditions that existed prior to our financial troubles. No one will deny that agriculture and stock growing constitute important industries of the State. Men and women have acquired competencies from our fertile soil, and from the grazing of stock upon the nutritious grasses on our hills and valleys.

During the World War and for a time thereafter prices of agricultural products were high, and activities in agricultural and stock growing lines were carried on at stop speed. The conditions changed with the summer of 1919. In that year there was little rain in Montana and crops failed. Even our grazing lands refused to produce the necessities for live stock, and we were brought face to face with the truth of the statement of Senator John J. Ingalls: "Grass is the most munificent gift of God to man, when grass fails every industry from the peanut stand to the steel mill is affected."

The livestock growers loath to sacrifice their flocks and herds vainly hoped that nature would soon recompense them for her dereliction in the summer by giving them a mild winter, but on the contrary the following winter was the longest, the coldest and the cruelest known to the inhabitants of Montana.

When the scant supply of forage was exhausted the stockmen appealed to the banks for money to purchase more feed. Hay advanced in price until a poor quality sold at the unbelievable price of \$60.00 per ton. Anxiously men looked for the chinook that never came. The more money the banks advanced the more acute became the necessity for carrying stock through until spring. On May 1st, 1920, every sheep in Montana and every cow in the state carried a charge for the winter's maintenance of more than the cash value of the animal. It was conservatively estimated that more than \$50,000,000.00 had been sent out of the state for stock feed. This money was never to return.

Then, to cap the climax, the price of all agricultural products, including cattle and sheep products, dropped to one-third of the previous values. The slump in grain prices presented another important phase of the general condition. All in all the deflation in prices paralyzed the state for the moment and left our people in a condition wherein it seemed impossible to finance their activities and enable them to function in a business way.

Banks being the money stores were most seriously affected. It is true that all of the bad loans were not livestock loans, nor yet agricultural loans, but the fact that the stock man and the farmer could not pay the grocer made necessary delinquencies on the part of the grocer in the payment of his claims to the wholesaler, and so on through the list.

It is true that some banks in strenuous, and we may say misguided and sometimes illegal, efforts to save their institutions, violated the requirements of the banking laws, but most of these delinquencies were instances of drowning men clutching at straws.

The members of this Commission are convinced that the conditions above described were brought upon the people of this state by something other than, or at least in addition to, bad banking laws and poor banking. It is our opinion that disaster was unavoidable, and that circumstances combined with fact for the time destroyed the prosperity of the State and wrecked many individual fortunes and financial institutions.

One cannot view the conditions as they existed in Montana from 1919 until 1924 without realizing that there has never been a system of banking, or a system of business, yet evolved that would have saved our people from at least a large measure of the disastrous conditions and results of that period.

If the fault had been with our state banking laws, or with the general character and manner of doing banking business in the State of Montana, then the conditions would have been local, and should have been confined to our own state. Indeed, if such had been the case the failures should have been confined to State Banks, but the fact remains that the proportion of State Bank failures within our state was no greater than of national banks. All of this in proportion to the numbers existent at the beginning of the depression. The further fact remains that other sections of this country wherein financial institutions and banks were operated under other jurisdictions suffered as seriously as did we. Taking into consideration always the fact that very few regions were subjected to the unfortunate climatic and crop conditions which we experienced in Montana in 1919-1920.

It is interesting to record that the banks of Montana at one time in this period owed the banks of rediscount, their outside correspondent banks, the Federal Reserve Bank and the War Finance Corporation the stupendous sum of \$..... This was money that was borrowed by the banks really for the use of their customers, but very largely on the credit of the local bankers and on their faith in Montana, and her people and resources. The amount of this vast sum now left unpaid is almost negligible. It is nearly beyond belief that such a vast sum of money could have been realized in this state at such a time and under the existing conditions, and diverted from the channels of trade to the payment of old debts, and yet admit of the rehabilitation of business in a substantial way at the same time. That such has been the case is irrefutable evidence of the fact that our state not only possessed resources of undoubted value but of the further fact that our people of all classes, including the bankers, were possessed of fortitude, courage and intelligence and at least a fair degree of business ability and acumen.

All of the foregoing observations bring us to the conclusion that it is not possible for this Commission to evolve and recommend, or for the Legislative Assembly of the State of Montana, to enact a law, or a set of laws, that will protect the people of this state from crop failures, hard winters, deflated prices, and general unfortunate financial conditions. We have not seen fit therefore to recommend that our state banking code be scrapped and thrown on the waste dump, or that an entirely new code be adopted for the regulation of banking in the State of Montana henceforth.

We have engaged in a most careful study of the banking laws of the State of Montana, of the National banking laws, and of the banking laws of nearly all of the states of the Union, and as a result of that study we were forced to the conclusion that the banking code of Montana in its general provisions was entirely similar to most of the banking codes in operation in the different states of the Union, and very much similar to the National Banking Act. Our banking code was enacted piecemeal by the different Legislative Assemblies until the session of 1915. At that session the banking laws of the State were re-codified and re-enacted with such needed amendments as were required at the time. Thereafter at each succeeding session of the legislature some additions and changes were made. We have at this time a workable banking code. Modern in most respects. It is true that it is not a perfect code and neither will we be able to recommend a perfect banking code in place of the one we have, either now or at any time in the future.

By a study of the provisions of the codes of the different states this Commission was enabled to make comparisons, and in the bill which the Commission has drafted and is submitting herewith there are changes suggested which to the Commission seem proper. We were able to find in the Banking Codes of other states certain provisions and sections that seemed to this Commission to be more workable and to offer better safe-guards than provisions existing in our own code. Wherever we found such provisions or sections we have carried them into the offered bill. Wherever our attention was called to deficiencies or uncertain and unfair provisions in our code we have recommended that they be changed, or that additional provisions be enacted.

The bill which we offer is not therefore a departure from the existing law in every respect. It is not revolutionary, but it has preserved the general principle and theory of the present state banking law and offers such amendments, changes and additions as this Commission deems essential and proper.

Perhaps the most drastic change presented by the proposed bill is contained in the provisions for the liquidation of state banks. Heretofore state banks when forced to liquidate accomplish their liquidation through receivers appointed by the district courts. This plan of liquidation has not been satisfactory in any state. It was long ago abandoned in the national system and in nearly all of the states of the Union. National banks are liquidated through the comptroller's office; that is through the banking department of the government. In most states state banks are liquidated through the department of banking. Your Commission has studied the various methods of liquidation in effect in the different states, and has worked out a plan which the Commission believes will prove to be more economical and efficient than the present receivership plan. The plan recommended contemplates the liquidation of state banks in the future under the direction of the State Superintendent of Banks, and his department. It is to be hoped that there will be little necessity for the employment of any plan of liquidation in the immediate future, but this Commission firmly believes that the plan offered will work out as satisfactorily in Montana as such similar plans have worked out in other states of the Union.

The offered act as a whole seeks to repose in the State Superintendent of Banks and his staff larger responsibilities and more freedom of action than was possible under the old law.

In the matter of the building and loan associations the Commission made such investigation as was possible, and has worked with the State Association of Building and Loan Associations and with the Banking Department and the State Examiner's office of the State of Montana in an effort to present to your Excellency and to the Legislative Assembly of the State of Montana a building and loan association code that would be workable and fail and protect the interests of proprietors and investors alike.

The work of the Commission has been performed in an honest effort to better conditions in the banking building and loan lines of business, and to afford a larger measure of protection to depositors and investors.

The Commission acknowledges valuable assistance from all classes of citizens with whom it came into contact. We mention particularly the most helpful aid rendered by Mr. Jay C. Larson, State Superintendent of Banks, and his most efficient staff. Mr. Larson's large experience in banking affairs and particularly in matters pertaining to bank examinations and supervisory control rendered his assistance invaluable and our work easier.

The Legislative Assembly provided in the act creating this Commission that the members thereof should receive \$8.00 per day for the time actually employed in the work of the Commission and should employ a secretary and fix his compensation. An appropriation of \$4,000.00 was made to defray the expenses of the Commission. The members of the Commission have not drawn any per diem and have not and do not make any charge

for their service. The same is true of the Secretary of the Commission. The Commission has expended in necessary matters connected with this work the sum of \$1095.01, and leaves unexpended of the appropriation the sum of \$2904.99.

Respectfully submitted,

S. V. STEWART,
C. H. WILLIAMS.
W. A. BRUBAKER.

Moved by Bricker, duly seconded and carried, that the report of the Lewis and Clark Commission be considered read at length and referred to the Committee on State Institutions.

REPORT OF LEWIS AND CLARK COMMISSION

To the Honorable Twentieth Legislative Assembly,
State of Montana:

A resolution was passed by the Nineteenth Legislative Assembly and approved by the governor February 28 1925, which in the language of its title was designed to "Provide for the appointment of a commission to investigate and recommend to the Twentieth Legislative Assembly the manner in which the services rendered the state of Montana by the Lewis and Clark expedition should be commemorated."

It was recited in the preamble that no legislative action had been taken by this state to commemorate the expedition of Lewis and Clark with the exception of naming Lewis and Clark county, and that a "constantly growing sentiment is manifest that some official action should be taken by the construction of a suitable commemorative monument."

It was then resolved "that a Lewis and Clark commission is hereby created to consist of the Governor, Chief Justice of the Supreme Court, State Treasurer, State Superintendent of Public Instruction and the Librarian of State Historical Society who shall be secretary.

"That the said commission shall investigate and secure proposals for a site for the erection and designs for the proposed monument, and the cost thereof, to be submitted and recommended to the Twentieth Legislative Assembly to convene in January, 1927, for such action as said Legislative Assembly may take." The assertion that no legislative action had been taken theretofore was incorrect; the legislature overlooked Chapter 117 of laws of 1917 which came to the attention of the commission during its investigations. That was an "Act for the purpose of commemorating the explorations of Lewis and Clark's expedition and to aid in the erection of heroic bronze statues of Meriwether Lewis and William Clark at the Great Falls and at the Three Forks of the Missouri River, providing for the creation of the Lewis and Clark Memorial Commission, and making appropriations therefor." It provides that in recognition of the foresight and broad statesmanship of Thomas Jefferson in the acquisition of the province of Louisiana and in commemoration of the expedition of Meriwether Lewis and William Clark, who celebrated the 29th anniversary of the independence of America at the Great Falls and camped at the Three Forks of the Missouri a month later, "we approve of the purpose of the Society of Montana Pioneers and other organizations and persons co-operating to erect at these historic sites heroic bronze statues of Lewis and Clark, in replica." An appropriation of \$5,000 was made and procedural directions were incorporated in the Act, but nothing further was done.

MEETINGS

The commission created by the Nineteenth Legislative Assembly organized and held a number of meetings after having given public notice. Interest in the subject of a memorial to Lewis and Clark was widespread. Armstead, Butte, Bozeman, Great Falls, Helena, Livingston and Three Forks were represented by committees, some at one meeting and others at all of the meetings held by the commission.

The cities of Bozeman, Butte, Great Falls, Livingston and Three Forks each agreed to furnish an appropriate site and to convey the title thereof to the state.

The designs submitted by the various localities fall into two general classes, (1) a monument with sculptured figures, (2) buildings.

Professor F. H. Garver of the State Normal College, representing citizens and organizations of Dillon and Beaverhead county, presented an argument, fortified with historical data in favor of placing the monument at Armstead.

Butte was represented by a delegation upon two occasions on both of which Hon. Miles J. Cavanaugh addressed the commission. The city of Butte proposed a memorial auditorium with appropriate statues. Leading citizens of Butte agreed to defray the entire cost, estimated at \$150,000.

Bozeman's delegation consisted of Hon. George Y. Patten, Dr. J. M. Hamilton and others. Messrs. Patten and Hamilton delivered addresses. The plan which they presented in behalf of the city of Bozeman contemplates the construction of a granite building consisting of two rooms, one designated a foyer and museum, the second a memorial room. On one side of the entrance to the building it was suggested to have a statue of Captain Lewis, on the other a statue of Captain Clark. Within the building was to be placed a huge map of bas-relief showing the course of the expedition with particular reference to the course of the rivers and the topographical features of Montana. The museum was designed for the preservation of historical articles and data of every kind.

With this plan as a basis, Mr. George D. Pease later presented suggestions of a plan somewhat more comprehensive than first proposed. He would have the building constructed from Montana's best and darkest granite. He suggests that it should be unbroken by windows but lighted by means of a skylight. Possibly in the frieze of this building there should be depicted the heads and types of the chiefs of the different Indian tribes encountered by the expedition.

Mr. Pease suggests three rooms, the first of these to contain statues of Lewis and Clark from Montana bronze with life size mountings of the animals upon which the success of the expedition so much depended. It is suggested that the second room be devoted to paintings of an historical character, with the subjects covering a wide range. In this room there is to be also a relief map at least twenty-five feet long and of sufficient height to show properly the lands purchased; the Mississippi, Missouri, Columbia and other rivers which were upon the line of the expedition should be upon an exaggerated scale so as to depict clearly the course of these streams; in the construction of this map the co-operation of other states as well as of the students of our university and other public schools should be enlisted. The map should show the route of the expedition going and returning. The third room should contain relics of the expedition, a replica of the canoe, camp equipment, flags, costumes, guns, saber, compasses and other paraphernalia connected with the expedition together with photographic copies of the original papers, reports and data of said expedition.

Messrs. Norman Holter, Lewis Penwell, C. B. Power and others spoke in favor of the desirability of placing the memorial upon the State Capitol grounds in Helena. The city of Helena, however, offered no design or estimate of cost, later Mr. George H. Carsley, the well known architect, presented an attractive plan for the erection at the west end of the Capitol grounds of an exedra with sculptured figures and a reflecting pool.

Hon. James F. O'Connor addressed the commission in behalf of the city of Livingston and suggested sites in that city which might be available; but no design nor estimate of cost was presented.

At the final public meeting held by the committee a delegation consisting of Dr. John Dimon, Mr. E. M. Mestad, Mr. V. Kvalnes, Mr. Ben Adams and Mr. L. R. Henslee, presented the claims of the city of Three Forks; their presentation was fortified by a booklet containing historical

data and models of a proposed design for the monument. The site proposed by Three Forks is about 300 feet from a tablet erected to Sacajawea, about 200 feet from the Sacajawea Hotel and about 200 feet from the platform of the main line of the C. M. & St. P Ry. Two appropriate designs were suggested: your commission prefers the one shown on page 8 of the booklet presented by the committee and estimated to cost approximately \$30,000.

The claims of Great Falls were presented at three meetings by a delegation of which Hon. H. B. Mitchell, Mayor of the city, Hon. E. H. Cooney and Mr. Fred a Fligman were spokesmen. They made an offer on behalf of Great Falls to donate any one of four sites. The design presented is the work of the late Charles M. Russell, the most distinguished of Montana's artists. It shows figures of Captains Lewis and Clark and of Sacajawea. The estimated cost of a bronze statue of the design presented is in the neighborhood of \$30,000.

RECOMMENDATIONS

Immediately following the adjournment of the public meeting held upon May 8, 1926, the commission reached a unanimous conclusion adopted in the following resolution:

"BE IT RESOLVED: That it is the judgment of this commission in view of the fact that the purpose expressed in House Joint Resolution No. 7, approved February 28, 1925, is to commemorate the services of Lewis and Clark from an historical standpoint, that the site upon which shall be erected the monument or memorial contemplated in the resolution should be fixed at some point upon or near the route actually followed by Lewis and Clark in their memorable expedition."

The commission was greatly impressed with the possibilities of the Bozeman plan. Not only are the educational features appealing; the appeal is to the highest sensibilities of the educator, the historian, the artist, the patriot. Much space has been given to this plan in this report for the reason that while the commission is of the opinion that its cost would be vastly greater than the State is now in a position to assume, it is hoped that future generations, possibly the next generation, may be able to establish a memorial along the lines suggested by the proponents of the Bozeman plan, at some appropriate place.

Your commission presents two recommendations: First, that it would be distinctly appropriate to erect bronze statues following the lines proposed, at Great Falls and also at Three Forks, if the cost be not more than \$60,000 in the aggregate, \$30,000 for each design.

The explorers looked forward eagerly to the falls of the Missouri, of which they had been told by various Indians whom they met on the journey. When the party reached the mouth of the Marias River, they were uncertain as to which stream was indeed the Missouri. The only means of definite identification, they concluded, would be the discovery of the falls. After exploring the Marias and the Missouri, all of the party save Captains Lewis and Clark were of the opinion that the true Missouri was the northerly stream, the Marias. The captains, however, decided to follow the southerly stream and when they found the falls of the Missouri on the thirteenth day of June, 1805, their joy was very great.

This was one of the most vital points in their entire expedition. The party spent almost a month at the falls in the immediate vicinity. The captains took the utmost pains to describe the surrounding country, prepared an elaborate map and data of the river generally, including the falls, the fountain, (as the Giant Spring was denominated) explored the surrounding country, and described with particularity the fauna and flora; and as was said in the Act of 1917, they celebrated the Fourth of July, 1805, at that point. This undoubtedly was the first celebration of our natal day west of the Mississippi River.

The beautiful city of Great Falls is now the second city of our state in size and undoubtedly always will be one of our larger cities. It is a

central point of great Importance and is visited annually by large numbers of people from all parts of the United States.

It would also seem that in the opinion of the explorers the three forks of the Missouri were second only in importance to the great falls of the river and vicinity. Captains Lewis and Clark spent three or four days in the vicinity of the three forks carefully examining the rivers, and as Captain Lewis remarked, that place appeared to be "an essential point in the western hemisphere." The explorers named the rivers Jefferson, Madison and Gallatin. Much history centers about Three Forks, from the advent and departure of the Lewis and Clark party, through the fur trading period, during early Territorial days, and continuing to the present time. The city of Three Forks is and will remain an important point. It is on or near the main line of two transcontinental railways and on one of the main transcontinental automobile roads.

The second recommendation of the commission is that if your Honorable Body shall decide to erect but one memorial, it be placed at the city of Great Falls in the circle at the head of Central Avenue facing west. At this point the bronze statue of the explorers would look into the Missouri River and westward to the end of their quest, the Pacific Ocean.

Respectfully submitted,

LEW L. CALLAWAY, Chairman.
J. E. ERICKSON.
W. E. HARMON.
MAY TRUMPER.
DAVID HILGER, Secretary.

Moved by Reed, duly seconded and carried, that House Bill No. 1 be considered properly printed, engrossed and passed for consideration of the committee.

Mr. Speaker excused Knight until Monday morning, January 10.

Mr. Speaker excused Moss until Friday morning, January 7.

The following resolution introduced by Reed, was referred to Committee on Rules:

BE IT RESOLVED By the House of Representatives of the Twentieth Legislative Session of the State of Montana;

1. That there be added to the rules adopted for the guidance of the deliberations of this House, the following rule:

Every Bill amending existing law, when introduced, must have all new matter underscored, and all matter eliminated from existing law must appear in its proper place enclosed in brackets. In the printed bill all new matter shall be italicized and all matter eliminated shall be enclosed in black faced brackets. Matter enclosed in brackets shall be omitted in the engrossing of the bill.

2. That this House will not accept or consider any Bill which does not conform to the rule now adopted.

3. That a copy of this rule be transmitted in the usual manner to the Senate.

On motion of Reed, there being no objections, the House reverted to order of Business No. 4.

REPORTS OF STANDING COMMITTEES

Committee on Mileage and Per Diem reported as follows:

Moved by Reed, duly seconded and carried, that the report of the Committee on Mileage and Per Diem be considered read at length and so shown on the Journal.

Helena, Montana, January 5, 1927

"Mr. Speaker: We, your Committee on Mileage and Per Diem, beg leave to submit the following report, indicating the number of miles traveled by the following members of the House, and the sums due them therefor:

Name.	City.	Miles.	Amount.
Abrahamson, John C., Roberts		510 @ 10	\$ 51.00
Akofer, Chas. A., Valier		400 @ 10	40.00
Arnold, S. C., Broadview		574 @ 10	57.40
Ballard, W. T., Butte		146 @ 10	14.60
Benjamin, H. E., Shelby		400 @ 10	40.00
Benson, Ben N., Medicine Lake		1048 @ 10	104.80
Barry, George, Butte		146 @ 10	14.60
Besancon, Albert, Missoula		240 @ 10	24.00
Bonine, G. J., Havre		444 @ 10	44.40
Bretzke, Lou E., Glasgow		748 @ 10	74.80
Bricker, R. C., Windham		350 @ 10	35.00
Brown, W. A., Great Falls		198 @ 10	19.80
Budas, Albert, Roberts		510 @ 10	51.00
Burke, Ed., Anaconda		198 @ 10	19.80
Burns, Harry L., Harlem		528 @ 10	52.80
Cavanaugh, Miles J., Butte		146 @ 10	14.60
Chatham, Jas. F., Butte		146 @ 10	14.60
Cheadle, Edwin K. Jr., Lewistown		422 @ 10	42.20
Clarke, Walter E., Forsyth		680 @ 10	68.00
Clausen, C. C., Livingston		246 @ 10	24.60
Cooney, E. H., Great Falls		198 @ 10	19.80
Curran, Mrs. Lucy A., Poplar		890 @ 10	89.00
Darlington, G. W., Bozeman		196 @ 10	19.60
Davis, G. T., Carlyle		1050 @ 10	105.00
Dellwo, Dennis A., Charlo		356 @ 10	35.60
Donaldson, Harry C., Fort Benton		278 @ 10	27.80
Doran, Tod, Butte		146 @ 10	14.60
Dougherty, Ralph, Grantsdale		342 @ 10	34.20
Dunn, Robert J., Bozeman		196 @ 10	19.60
Erickson, L. N., Lavina		388 @ 10	38.80
Foot, E. B., Kalispell		721 @ 10	72.10
Flachsenhar, W. R., Terry		850 @ 10	85.00
Fullsher, Dr. Fred R., Saltese		440 @ 10	44.00
Goodwin, Phil C., Butte		146 @ 10	14.60
Green, Andrew, Lewistown		422 @ 10	42.20
Green, H. R., Lindsay		1058 @ 10	105.80
Gustafson, Geo. W., Chinook		488 @ 10	48.80
Hagerty, Dan F., Browning		516 @ 10	51.60
Hardcastle, Ernest A., Butte		146 @ 10	14.60
Harris, Orville, White Sulphur Springs		288 @ 10	28.80
Hodgskiss, J. E., Choteau		316 @ 10	31.60
Holton, Albert, Cohagen		902 @ 10	90.20
Jameson, W. J. Jr., Billings		478 @ 10	47.80
Jensen, S. R., Great Falls		198 @ 10	19.80
Johnson, Elmer, Glasgow		748 @ 10	74.80
Jones, Dudley, Dodson		584 @ 10	58.40
Jones, Harry C., Hamilton		338 @ 10	33.80
Jones, Hugh M., Great Falls		198 @ 10	19.80
Kelly, Pat A., Butte		146 @ 10	14.60
Knight, J. B. C., Anaconda		198 @ 10	19.80
Knowles, S. H., Boulder		76 @ 10	7.60
Kroman, Chas. L., Miles City		770 @ 10	77.00
Lamb, Edwin M., Butte		146 @ 10	14.60
Larson, Robert, Dagmar		1078 @ 10	107.80
Leavens, Robert, Billings		478 @ 10	47.80
Leavitt, W. B., Miles City		770 @ 10	77.00
Lillis, B. C., Billings		478 @ 10	47.80
Logan, L. U., Billings		478 @ 10	47.80
Lowry, R. B., Baker		978 @ 10	97.80
McCleary, Frank, Red Lodge		534 @ 10	53.40
McLeod, Ralph L., Philipsburg		194 @ 10	19.40

Name.	City.	Miles.	Amount.
Marshall, M. R., Missoula		240 @ 10	24.00
Merritt, Clarence, Roundup		480 @ 10	48.00
Miller, N. O., Roy		509 @ 10	50.90
Miller, Timothy, Libby		932 @ 10	93.20
Moss, C. M., Whitefish		706 @ 10	70.60
Moulton, B. F., Grass Range		494 @ 10	49.40
Mulholland, M. J., Butte		146 @ 10	14.60
Murphy, Charles F., Anaconda		198 @ 10	19.80
Nelson, Ben, Malta		618 @ 10	61.80
Nelstead, T. E., Ekalaka		1062 @ 10	106.20
Nicholson, Stuart H., McLeod		344 @ 10	34.40
O'Day, R. S., Great Falls		198 @ 10	19.80
Plank, Leonard, Chester		502 @ 10	50.20
Plumer, A. J., Hysham		656 @ 10	65.60
Prescott, C. R., Missoula		240 @ 10	24.00
Reed, Grant, Townsend		66 @ 10	6.60
Rife, Frank, Armstead		326 @ 10	32.60
Rockwood, J. E., Kalispell		721 @ 10	72.10
Rognlien, I. D., Kalispell		721 @ 10	72.10
Rorvik, Elias, Watkins		1096 @ 10	109.60
Ryder, Arthur, Froid		1024 @ 10	102.40
Sample, H. A., Glendive		926 @ 10	92.60
Shields, Ed., Great Falls		198 @ 10	19.80
Sparling, James T., Flaxville		1182 @ 10	118.20
Stambaugh, Guy, Deer Lodge		124 @ 10	12.40
Steeves, M. D., Livingston		246 @ 10	24.60
Sutton, E. F., Winnett		540 @ 10	54.00
Thorburn, William B., Harlowton		296 @ 10	29.60
Throssel, Richard, Billings		478 @ 10	47.80
Tierney, Wm. P., Paradise		386 @ 10	38.60
Tinsley, Basil, Pony		218 @ 10	21.80
Troy, T. J., Havre		444 @ 10	44.40
Waite, W. T., Broadus		944 @ 10	94.40
Warren, W. E., Hardin		585 @ 10	58.50
Westlake, A. E., Bozeman		196 @ 10	19.60
White, Arthur, Savage		996 @ 10	99.60
Williard, Dr. Asa, Missoula		240 @ 10	24.00
Woodcock, John W., Fort Benton		278 @ 10	27.80
Total			\$4,683.70

Respectfully submitted,

W. E. CLARKE, Chairman.
GRANT REED.
CHAS. A. AKOFER.
LOU E. BRETZKE.
ED. SHIELDS.

Moved by Reed, duly seconded and carried, that the above report be adopted.

MOTIONS AND RESOLUTIONS

Moved by Reed, duly seconded and carried, that House Bill No. 1 be considered printed, properly engrossed and passed for the consideration of the Committee.

CONSIDERATION OF GENERAL ORDERS

Moved by Reed, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for the consideration of General Orders.

Leavens in the chair.

Committee arose.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 1, respectfully report as follows: That House Bill No. 1 do pass.

LEAVENS, Chairman.

Moved by Reed, duly seconded and carried, that the report of the Committee be adopted.

THIRD READING OF HOUSE BILLS

House Bill No. 1, introduced by Reed, having been read three several times, and title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Trossel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—99.

Noes: None.

Absent and not voting: Dunn, Gustafson and Kelly. Total—3.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:30 A. M., January 6th.

Attest:

G. T. DAVIS, Speaker

H. J. FAUST, Chief Clerk.

FOURTH DAY

House of Representatives,
Helena, Montana, January 6, 1927.

House met pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Invocation by Chaplain.

On roll call all members present except Gustafson, absent; Knight, absent; Moss, excused by Speaker until Friday morning.

Moved by Darlington, duly seconded and carried, that the Journal for January 5th be considered read and approved.

The Committee on Journal reported as follows:

Helena, Montana, January 6, 1927.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the third legislative day find the same to be correct.

G. W. DARLINTON, Chairman.

COMMUNICATIONS AND PETITIONS

Helena, Montana, January 6, 1927.

In honor of the wives of the members of the Twentieth Legislative Assembly, open house will be held at the executive mansion of North Ewing street on Thursday, January 13, with the following women as hostesses: Mrs. J. E. Erickson, Mrs. W. S. McCormack, Mrs. C. T. Stewart, Mrs. L. A. Foote, Mrs. George P. Porter, Miss May Trumper, Mrs. Lew L. Calloway,

Mrs. John A. Matthews, Mrs. Albert J. Galen, Mrs. Albert P. Stark, Mrs. Henry L. Myers, Mrs. Ward Crosby, Mrs. Dan Boyle, Mrs. Leonard C. Young, and Mrs. Lee Dennis. The hours will be from 2:30 to 5:30.

Members of the House will please convey this announcement to their wives.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Donaldson and Flachsenhar: A Bill for an Act entitled: "An Act to amend Section 651 of the Revised Codes of Montana of 1921 as amended by Chapter 133 of the Laws of the Eighteenth Legislative Assembly relating to the arrangement, printing and voting of ballots at primary elections."

By Reed: A Bill for an Act entitled: "An Act providing for the establishment, maintenance and operation of a centralized accounting agency and a centralized accounting system for the State of Montana and all its offices, departments, bureaus, institutions, boards, commissions and agencies; constituting the State Board of Examiners such centralized accounting agency and fixing, prescribing and defining the powers, duties and authority of the State Board of Examiners, as such centralized accounting agency, in connection with the establishment, maintenance and operation of such centralized accounting agency and system; and providing penalties for the violation of the provisions of this act and of the orders, directions, rules and regulations of such centralized accounting agency."

By Marshall and Lillis: A Bill for an Act entitled: "An Act to amend Section 3384, Revised Codes of Montana, 1921, relating to the size of Herd Districts and proceedings for the creation thereof."

By Donaldson: A Bill for an Act entitled: "An Act to amend Section 1632 of the Revised Codes of Montana of 1921 relative to inspection of highways and construction work by boards of county commissioners and compensation therefore, and to amend Section 4462 of the Revised Codes of Montana of 1921 relating to time of regular meetings and extra sessions."

By Donaldson: A Bill for an Act entitled: "An Act to amend Section 10,178 of the Revised Codes of Montana of 1921 as amended by Section 1 of Chapter 11 of the Session Laws of the 19th Legislative Assembly of 1925 relating to the time within which actions must be commenced on claims against an estate rejected by the executor, administrator or judge of the probate court."

By Leavitt: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 9 of the Session Laws of 1923, as amending Section 6036 of the Revised Codes of Montana 1921 relating to liability of Stockholders in State Banks and providing means for paying and collecting said liability."

By Flachsenhar: A Bill for an Act entitled: "An Act prescribing the qualifications of County Superintendents of Schools and repealing all Acts and parts of Acts in conflict herewith."

By Holton: A Bill for an Act entitled: "An Act to amend Sections 1211 and 1212 of the Revised Codes of Montana, 1921, as amended by Chapter 104, Session Laws of the Eighteenth Legislative Assembly. Providing for the apportionment and distribution of oil and gas royalties received from the United States."

By Leavitt: A Bill for an Act entitled: "An Act to amend Section 9256 of the Montana Revised Codes of 1921, relating to attachment and when attachment may issue."

By Rognlien: A Bill for an Act entitled: "An Act to amend Section 639 of the Revised Codes of Montana of 1921 relating to the primary election by providing that to entitle a political party to nominate candidates for public office under the provision of this law, such political party must have cast three per centum or more, of the total votes cast for governor, at the next preceding general election and providing a method of making

nominations by such political party when the required number of votes were not so cast."

By Besancon: A Bill for an Act entitled: "An Act providing for the unified investment and administration by the State Board of Land Commissioners under the provisions of Article XXI of the Constitution of all funds subject to investment and under the control, or hereafter coming under the control, of the state or of any Department, Board, Commission, Bureau, Institution, Office or Officer under the State, except the funds arising directly or indirectly from the Federal Land Grants made to the State of Montana; prescribing certain duties of every department of the Government of the State of Montana, and of every State Board, Commission, Bureau, Institution, Office and Officer relating to such investment and administration; and repealing Sections 5613 and 5614 of the Revised Codes of Montana of 1921, Section 270 of the said Codes as amended by Chapter 122 of the Laws of the Nineteenth Legislative Assembly, and all other Acts and parts of Acts in conflict with the provisions of this Act."

By Fulsher: A Bill for an Act entitled: "An Act to amend Section 1441 of the Revised Codes of Montana of 1921; relating to the fees of physicians attending the examinations of an insane person."

By Fulsher: A Bill for an Act entitled: "An Act to amend Sections 11302 and 11303 of the Revised Codes of Montana of 1921 and to repeal Section 11309 of the Revised Codes of Montana of 1921 relating to the carrying of concealed weapons; providing a penalty for the violation of the law relating to the carrying of concealed weapons; and the jurisdiction of the courts over violation of said laws."

REPORTS OF STANDING COMMITTEES

Committee on Employment, having had under consideration House Resolution No. 1, reported same back to the House with the recommendation that it do pass.

Moved by Ryder, duly seconded and carried, that the report be adopted.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to following committees:

H. B. No. 5, by Dellwo: A Bill for an Act entitled: "A Bill for an Act reserving to the State of Montana a preference right to purchase State Warrants hereafter issued with funds arising from the Federal Land Grants and with other funds subject to investment, and prescribing the duties of the State Board of Land Commissioners, of the State Treasurer and of the State Auditor relating to the purchase of such warrants." Referred to Judiciary Committee.

H. B. No. 6, by Bricker, Besancon and Arnold: A Bill for an Act entitled: "An Act requiring all persons, firms, associations, joint stock companies, syndicates and corporations engaged in, or carrying on the business in this State of selling or using gasoline, distillate and any other volatile and inflammable liquids produced or compounded for the purpose of operating or propelling motor vehicles to pay to the State Treasurer certain license taxes for engaging in, and carrying on such business in this State; fixing the amount of such license taxes; providing a method for the assessment, collection and disposition thereof; prescribing penalties for the violation of this act; and repealing Chapter 156 of the Laws of 1921, Chapter 150 of the Laws of 1923, Chapter 186 of the Laws of 1925, and Section 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, and 2396 of the Revised Codes of 1921, initiated measure number 31, approved by the electors of Montana at the General election November 2, 1926, and all other Acts and parts of Acts in conflict herewith." Referred to Revenue and Taxation Committee.

At this time Mr. Speaker called attention of members of the House to the fact that they could procure mail boxes at the capitol post office.

He also stated that the Sergeant-at-Arms had requested each member of the House to please leave his name and Helena address and telephone number with his office.

Mr. Speaker announced the appointment of the following committees:

Affairs of Cities—Clarke, Rosebud, chairman; McLeod, Granite, vice-chairman; Kelly, Silver Bow; Knight, Deer Lodge; Lillis, Yellowstone; Mulholland, Silver Bow; Burke, Deer Lodge; Kroman, Custer; Prescott, Missoula; Dunn, Gallatin; Adair, Lewis and Clark; Bretzke, Valley; Sample, Dawson; Thorburn, Wheatland; Brown, Cascade.

Agriculture—Donaldson, Choteau, chairman; Budas, Carbon, vice-chairman; Ryder, Roosevelt; Rorvik, McCone; Green, Fergus; Gustafson, Blaine; Erickson, Golden Valley; Bricker, Judith Basin; Benson, Sheridan; Arnold, Stillwater; Nelson, Phillips; Akofer, Pondera; Dellwo, Lake; Prescott, Missoula; Sparling, Sheridan.

Dairying—Johnson, Valley, chairman; Steeves, Park, vice-chairman; Gustafson, Blaine; Westlake, Gallatin; Erickson, Golden Valley; Arnold, Stillwater; Benson, Sheridan; Dellwo, Lake; Green, Fergus; Larson, Sheridan; Merritt, Musselshell; Thorburn, Wheatland; Sutton, Petroleum; Woodcock, Choteau; Goodwin, Silver Bow.

Irrigation and Water Rights—Lillis, Yellowstone, chairman; Harris, Meagher, vice-chairman; Nelson, Phillips; Budas, Carbon; Steeves, Park; Warren, Big Horn; Dougherty, Ravalli; Hodgskiss, Teton; Foot, Flathead; Moulton, Fergus; Tinsley, Madison; Rife, Beaverhead; Plumer, Treasure; Dellwo, Lake; Akofer, Pondera.

Highway Committee—Moss, Flathead, chairman; Green, Dawson, vice-chairman; Darlinton, Gallatin; Hagerty, Glacier; Johnson, Valley; Knowles, Jefferson; Lillis, Yellowstone; Willard, Missoula; Steeves, Park; Nelstead, Carter; Tinsley, Madison; Shields, Cascade; Lowry, Fallon; Kelly, Silver Bow; Abrahamson, Carbon.

Mines and Mining—Cavanaugh, Silver Bow, chairman; Knight, Deer Lodge, vice-chairman; Moulton, Fergus; Reed, Broadwater; Rockwood, Flathead; Steeves, Park; Knowles, Jefferson; McLeod, Granite; Miller, Fergus; Rockwood, Flathead; Barry, Silver Bow; Fulsher, Mineral; O'Day, Cascade; Chatham, Silver Bow; Mulholland, Silver Bow.

MOTIONS AND RESOLUTIONS

"Mr. Speaker: I move that no letters, pamphlets, or any other communications regarding any subject that may come before the Twentieth Legislative Assembly which are unsigned shall be placed upon the desks or in the House chambers or corridors of the House unless signed with the name and address of the author, and not then unless first approved by the Speaker and the Sergeant-at-Arms.

BRICKER."

Above motion duly seconded and carried.

Moved by Nagle, duly seconded and carried, that H. R. No. 1 be considered properly printed and placed on General Orders.

Moved by Nagle, duly seconded and carried, that the House resolve itself into Committee of the Whole for consideration of General Orders.

GENERAL ORDERS

Mr. Bricker in the chair.

Title and history of H. R. No. 1 read by Chief Clerk.

Moved by Nagle, duly seconded and carried, that when the Committee arise, it report back to the House that the report be adopted.

Moved by Flachsenhar, duly seconded and carried, that the Committee arise to report.

Committee arose.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Resolution No. 1, respectfully report as follows: That H. R. No. 1 do pass.

BRICKER."

Moved by Bricker, duly seconded and carried, that the report of the Committee of the Whole be adopted.

Moved by Nagle, duly seconded and carried, that House Resolution No. 1 be considered properly engrossed and placed on Third Reading.

The following announcement was made by Bricker, relating to filling out sheets to be for the information of the Historical Library:

"I want to say that Mr. Hilger of the Land Office has gotten out a paper which will be placed on your desks; this same paper was gotten out last year for all the members to sign. They wish this information down in the Historical Library. They will be laid upon your desk, and you will kindly sign them up, so that they can have a complete record of this Legislative Assembly. When you have them signed up and filled out, give them to the Chief Clerk, and he will hand them to the Librarian."

Mr. White made the following request relating to any members who belonged to the Spanish American War.

"I would like to make a request. I would request that any member of the House who served during the Spanish American War, Phillippine Insurrection, or the Boxer Uprising in China, hand his name to Mr. Leavens or myself as soon as convenient. We desire to get that data."

THIRD READING OF HOUSE BILLS

House Resolution No. 1, introduced by Bricker, Moss, Besancon and Nagle, having been read three several times and title and history agreed to, was passed by the following vote:

Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Hagerty, Hardecastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—97.

Absent and not voting: Gustafson, Knight, Moss, Ryder and Stambaugh. Total—5.

Moved by Bricker, duly seconded and carried, that the House revert back to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

The following motion was made by Bricker:

"Mr. Speaker: I move that all reports of Special Committees and Commissions be printed in the daily proceedings of the House.

BRICKER."

The above motion duly seconded and carried.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE SENATE COMMUNICATIONS

Helena, January 5th, 1927.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 1, introduced by Reed, A Bill for an Act entitled: "An Act to appropriate money for the payment of mileage and per diem to the members of the Twentieth Legislative Assembly of the State of Montana and per diem to the officers and attaches of the Twentieth Legislative Assembly of the State of Montana and for incidental expenses of the Twentieth Legislative Assembly of the State of Montana," was this day read three several times and concurred in, title agreed to, and is herewith transmitted to the House.

Respectfully,

J. F. CONE, Secretary of the Senate.

Helena, January 5th, 1927

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Committees has this day recommended the following committee appointments. Report was adopted.

J. F. CONE, Secretary of Senate."

Report attached.

Agriculture—McCone, Chairman; Greenup, Cowan, Gilboe, Schnitzler, Kemmis, Tower, Buttleman, McQuitty.

Apportionment and Representation—Schofield, Chairman; Kemmis, Garber.

Banks and Banking—Schnitzler, Chairman; Henderson, John Campbell, Richardson, Linn, Johnson, Corrington, Bergstrom, McQuitty.

Compensation—Larson, Chairman; Pauline, Linn, Walker, Church.

Constitutional Amendments—Wuerthner, Chairman; Pomeroy, Church.

Corporations other than Municipal—McCabe, Chairman; Larson, Greenup, Kennedy, Wuerthner, Joffray, Bergstrom.

Counties and Towns—Pauline, Chairman; Shelver, Spencer, Smith, Larson, Wheeler, Dell, J. S. Campbell, Donovan.

Dairies and Dairying—Tower, Chairman; Survant, Brownlee, Kane, J. S. Campbell.

Education—Swift, Chairman; Smith, Eaton, McCabe, Cowan, Porter, Duncan.

Election and Privileges—Greenup, Chairman; Dowlin, Pomeroy, John Campbell, Donovan.

Engrossed Bills—Ruffcorn, Chairman, Seibert, Dell.

Enrolled Bills—Johnson, Chairman; Staggs, Bergstrom.

Fairs and Expositions—Gilboe, Chairman; Survant, Seibert, Shelver, Delaney.

Federal Relations—Smith, Chairman; Swift, McCone, Mears, Joffray.

Finance and Claims—Paul, Chairman; Pauline, Cowan, Staggs, Hazelbaker, Smith, Henderson, Buttleman, Church.

Fish and Game—Cooper, Chairman; McCormick, Brownlee, Pauline, Tower, Richardson, Joffray, Duncan.

Horticulture—Pomeroy, Chairman; Kane, Tower, Seibert, Garber.

Immigration—Corrington, Chairman; McCone, Spencer, Stewart, Delaney.

Insurance—Spencer, Chairman; Smith, Richardson, Gilboe, Kennedy, Church, Bergstrom.

Irrigation and Water Rights—Kane, Chairman; John Campbell, Pomeroy, Corrington, Wuerthner, Kemmis, Richardson, Buttleman, McQuitty.

Judicial Districts—Staggs, Chairman; Linn, Stewart, Goodman, Buttleman.

Judiciary—Stewart, Chairman; Pomeroy, Linn, John Campbell, Wuerthner, McCabe, Duncan, Walker, Green.

Labor and Capital—Brownlee, Chairman; Wheeler, McCormick, Ruffcorn Henderson, Porter, Taylor.

Libraries—Ruffcorn, Chairman; Taylor, Porter.

Military Affairs—Shelver, Chairman; Swift, Garber, McQuitty, Dell.

Mines and Mining—McCormick, Chairman; Cooper, Spencer, Kennedy, Green, Joffray.

New Counties and Divisions—Cowan, Chairman; Tower, Brownlee, John Campbell, Delaney.

Oil and Leases—Henderson, Chairman; Gilboe, Kane, Dowlin, Hazelbaker, McCabe, Donovan.

Printing—Taylor, Chairman; Spencer, Dell.

Public Buildings—Kemmis, Chairman; Staggs, Gilboe, Wheeler, Johnson, Goodman, J. S. Campbell.

Public Lands—Mears, Chairman; Griffin, Larson, Survant, Kane, Tower, Dell, Green, Eaton.

Public Morals—Eaton, Chairman; Mears, Bergstrom, Delaney, Taylor.

Railroads and Transportation—Linn, Chairman; Ruffcorn, Shelver, Richardson, Cooper, Walker, Porter.

Roads and Highways—Hazelbaker, Chairman; Corrington, Wuerthner, Staggs, McCormick, Schnitzler, Church, Buttleman, Cooper.

Rules—Griffin, Chairman; Paul, Duncan.

Sanitary Affairs—Seibert, Chairman; Johnson, Delaney.

Stock Growing and Grazing—Dowlin, Chairman; Cowan, Survant, Henderson, McCone, Mears, Brownlee, Kennedy, Goodman.

Taxation—Survant, Chairman; Swift, Schnitzler, Greenup, Dowlin, Hazelbaker, Eaton, Garber, Walker.

Helena, January 5th, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notice of Introduction of Bills was this day given:

By Kemmis: "An Act to repeal Chapter 95 of the Session Laws of 1915, Sections 1113 to 1132 of the Revised Codes of Montana of 1921, both inclusive, and providing that teachers who have retired when this Act takes effect shall continue to draw a retirement salary until the retirement salary fund has been exhausted."

Respectfully,

J. F. CONE, Secretary of the Senate.

Moved by Bricker, duly seconded and carried that the messages from the Senate be considered read at length and the Journal so show.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:30 A. M., Friday, January 7th.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

FIFTH DAY

House of Representatives,

Helena, Montana, January 7th, 1927.

House met pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Invocation by Chaplain.

On roll call all present except: Arnold, excused on account of sickness; Chatham, absent; Knight, absent; Leavens, absent; Nicholson, absent; Westlake, excused on account of sickness.

Mr. Speaker excused the following members until Monday: Akofer, Waite, Nicholson and Benson.

Report of Journal Committee:

January 7th, 1927.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fourth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman.

Moved by Darlington, duly seconded and carried, that the above report be adopted.

COMMUNICATIONS AND PETITIONS

Announcement: Beginning today the restaurant at the State Capitol will serve a club breakfast in addition to other meals.

NOTICES

By Jones (Phillips): A Bill for an Act entitled: "An Act relating to the sale of real property for delinquent taxes, and to amend Sections 2217, 2218, 2219, 2220, 2221, 2231, 2232, and 2233, and to repeal Sections 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192 2193, 2194, 2195, 2196, 2197, 2201, 2202, 2204, 2205, 2206, 2207, 2208, 2209, 2212, 2213, 2214, 2215, 2216, 2224, 2225, 2229, and 2230 of the Revised Codes of Montana of 1921, with the amendments thereto; and providing a method for the compromise of taxes, penalties and interest on real property delinquent for taxes, and authorizing county commissioners, in certain cases, to sell such real property to bona fide buyers for restoration to the assessment rolls."

By Jameson: A Bill for an Act entitled: "An Act authorizing the filing notices of liens for taxes payable to the United State of America and certificates discharging such liens and to make uniform the law relating thereto."

By Cavanaugh: A Bill for an Act entitled: "An Act relating to primary elections, specifying the form of ballot and method of voting at such election, requiring a statement of party affiliations by elector, and repealing Section 651 of the R. C. M. of 1921 and all Acts or parts of Acts in conflict therewith."

By Marshall: A Bill for an Act entitled: "An Act relating to school district bonds; granting boards of trustees of school districts of all classes the power to issue, negotiate and sell or exchange bonds for certain purposes under certain limitations and restrictions; providing the manner of holding bond elections and prescribing the qualifications of electors; prescribing the procedure governing the issuing, sale, or exchange of such bonds; providing for payment of the principal and interest on such bonds; prescribing the duties of boards of school trustees, boards of county commissioners and county treasurers in connection with the levying and collection of taxes for the payment of principal and interest on such bonds; and repealing Sections 1032, 1227, 1230, 1231, 1232, 1233, and Sections 1243 to 1251 inclusive of the Revised Codes of Montana of 1921; repealing Sections 1224, 1225, 1226, 1228, and 1229 of the Revised Codes of 1921, as amended by Chapter 153 of the Laws of the Eighteenth Legislative Assembly; repealing the said Chapter 153 and all other Acts or parts of Acts in conflict with the provisions of this Act."

By Troy: A Bill for an Act entitled: "An Act relating to the sale of cigarettes, and cigarette papers and wrappers and papers used and prepared for the making of cigarettes; providing for issuing licenses for the purpose of making sales thereof and furnishing of bond; providing for the payment of a license tax thereon and the distribution of the proceeds thereof; providing for the regulation of the sales thereof, and penalty for violation of this Act; and defining the duties of State Board of Equalization and State Treasurer imposed under the provision of this Act; and providing that any person violating this Act shall be enjoined and that any building or premises made use of for purposes in violation of this Act

shall be deemed a nuisance and abated by injunction and repealing all Acts and parts of Acts in conflict herewith."

By Adair: A Bill for an Act entitled: "An Act relating to courses of instruction in schools, colleges, universities, and other educational institutions of the State Montana."

By Troy: A Bill for an Act entitled: "An Act to amend Section 5227 of the Revised Codes of Montana of 1921 relating to the manner of creating special improvement districts in cities and towns."

By Leavitt: A Bill for an Act entitled: "An Act to amend Section 1 and Section 2 of Chapter 137 of the Session Laws of 1925, as amending Section 4767 of the Revised Codes of Montana, 1921 relating to the deposits and investment of County, City and Town funds."

By Budas: A Bill for an Act entitled: "An Act to amend Section 3588(a) Revised Codes of Montana, 1921, relating to public grain warehouses, and being Section 4 of Chapter 41 Session Laws 1923."

REPORTS OF STANDING COMMITTEES

The Enrolling Committee reported H. B. No. 1 and H. R. No. 1 as being correct.

Moved by Waite, duly seconded and carried, that the report of the Enrolling Committee be adopted.

The following report from the Employment Committee was received and read:

January 6th, 1927.

We, your Committee on Employment, wish to submit the following report, to-wit: That we have on this day recommended for appointment, the following employees to be employed in this House during the coming session:

Position.	Name.
Clerk for Ways and Means Committee.....	Juel Brown
Assistant Journal Clerk in place of Miss Pomeroy.....	Eugenia H. Gove
Assistant Printing Clerk	William White
Clerical Work	Reid Lanway
Elevator Operator	Dan Pankoff
Stenographer (substitute for Regina Andrews).....	Lillian Brusleton
Stenographer	Beulah Dettmar
Stenographer	Virginia Willetts
Assistant Janitor	Thos. Ahern

The above applicants are employed subject to the call of the Sergeant-at-Arms.

RYDER, Chairman.

Moved by Ryder, duly seconded and carried, that the above report be adopted.

Mr. Speaker gave notice that he was about to sign House Bill No. 1 and House Resolution No. 1 and thereupon signed the same.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only, and referred to committees as follows:

H. B. No. 7, by Marshall and Lillis: A Bill for an Act entitled: "An Act to amend Section 3384 Revised Codes of Montana, 1921, relating to the size of herd districts and proceedings for the creation thereof." Referred to Livestock and Public Range Committee.

H. B. No. 8, By Besancon: A Bill for an Act entitled: "An Act providing for the unified investment and administration by the State Board of Land Commissioners under the provisions of Article XXI of the constitution of all funds subject to investment and under the control, or hereafter coming under the control, of the State or of any Department, Board,

Commission, Bureau, Institution, Office or Officer under the State, except the funds arising directly or indirectly from the Federal Land Grants made to the State of Montana; prescribing certain duties of every department of the government of the State of Montana, and of every State Board, Commission, Bureau, Institution, Office and Officer relating to such investment and administration; and repealing Sections 5613 and 5614 of the Revised Codes of Montana of 1921, Section 270 of the said code as amended by Chapter 122 of the laws of the Nineteenth Legislative Assembly, and all other Acts and parts of Acts in conflict with the provisions of this Act." Referred to State Boards and Officers Committee.

H. B. No. 9, By Donaldson and Flachsenhar: A Bill for an Act entitled: "An Act to amend Section 651 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the laws of the Eighteenth Legislative Assembly relating to the arrangement, printing and voting of ballots at primary elections." Referred to Privilege and Elections Committee.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Governor:

Helena, Montana, January 7, 1927

The Speaker, House of Representatives, Helena, Montana.

In compliance with the provisions of the Constitution, I have the honor to transmit herewith a report of the pardons and commutations of sentence granted by the Governor and Acting Governor since the time of the report to the Nineteenth Legislative Assembly.

J. E. ERICKSON, Governor.

REPORT OF PARDONS AND COMMUTATIONS OF SENTENCE GRANTED SINCE THE REPORT TO THE NINETEENTH LEGISLATIVE ASSEMBLY

PARDONS

Marion Christensen—Committed from Gallatin county Oct. 9, 1924; arson; 1 to 2 years. Later it became necessary to remove her to Hospital for Insane. Pardoned Jan. 19, 1925; recommended by Judge and Warden of Prison.

J. E. Mott—Yellowstone; charge, violating anti-gambling laws; sentence, 3 months in county jail and \$400 fine. Fine was paid April 23, 1925, Mott was pardoned of unserved portion of prison term, because of certificates by several Billings physicians as to prisoner's physical condition, and recommendations from both District Judges and County Attorney.

Henry C. Howard—Prairie; committed March 23, 1923, rape; sentence 25 to 50 years. Howard was 76 years old, a G. A. R. veteran, and had serious heart trouble. Pardoned April 20, 1925; to be transferred by his family to Soldiers' Home at Leavenworth; recommended by County Attorney and Sheriff.

Scott K. Cassill—Powell; committed July 6, 1924; bank fraud, sentence 1 to 3 years; had been convicted on three charges of grand larceny, in each of which sentence was 1 to 3 years. Many appeals came from friends in this and other States, and on April 1, 1925, pardon was granted, on account of prisoner's youth and good record, that he might take a position awaiting him on the West Coast.

Oliver D. Russell—Beaverhead; convicted Aug. 13, 1924; rape; sentence 2 to 4 years. Russell was an overseas veteran and lost one hand and sustained other serious injuries in the service. Nine members of the jury signed a petition for his pardon, and the District Judge approved such course. In order that he might not lose his compensation and right to pension, pardon was granted June 5, 1925.

Ed Walker—Lewis and Clark; on plea of guilty to charge of drunk and disorderly was given suspended sentence of six months in county jail; later parole was revoked on account of similar charge, and he had served

about half his term. County Attorney and Justice of the Peace recommended clemency, and on July 1, 1925, pardon was granted.

Henry Buehler and Herbert R. Wolff—Flathead; robbery; sentenced Feb. 6, 1925, from 1 to 2 years, and sentence suspended. Their conduct had been such that District Judge and County Attorney recommended pardon and this was granted July 30, 1925.

Rufus Lewis—Lewis and Clark; murder, sentence, life, July 16, 1919. Lewis was 77 years old and always asserted, and many friends believed, that the shooting was accidental. Numerous petitioners asked that he be pardoned, that he might be taken to his old home in Iowa by his daughter, and this was granted Aug. 25, 1925.

Arthur H. Cooper—Cascade; manufacturing intoxicating liquors; sentenced June 30, 1925, to 90 days in county jail and fined \$200. He had served two-thirds of his jail term, had no money with which to pay the fine, and on recommendation of District Judge, County Attorney and Sheriff he was pardoned on Aug. 29, 1925.

Grant H. Brown, Jr.—Cascade; grand larceny; sentenced May 26, 1925, to 1 to 2 years. Because of prisoner's previous excellent record and statements on his behalf by District Judge and County Attorney, pardon was granted on Oct. 8, 1925.

Fred DeAngelis—Carbon; first degree murder; sentenced Jan. 10, 1919, to life imprisonment. It was shown that the prisoner was suffering from tuberculosis. District Judge, County Attorney and six of the jurors had spoken in his behalf. On Feb. 4, 1926, pardon was granted on condition that DeAngelis be returned to his home in Italy, never to return. This condition was fulfilled shortly thereafter.

George Palmer—Yellowstone; grand larceny; sentenced June 19, 1923, to 4 to 8 years. A year later he escaped from the Prison farm and on recapture a week later was given an additional 1 to 2 years. On recommendation of County Attorney, presiding Judge and owner of property stolen, pardon was granted March 24, 1926.

John Mosolo—Madison; grand larceny; sentenced in June, 1919, to 4 to 8 years and sentence suspended. Many prominent citizens of county petitioned in his behalf, and because of circumstances surrounding the case and Mosolo's good record, and in order that he might secure his final papers as a citizen, pardon was granted on April 28, 1926.

Charles H. Cassill—Powell; convicted July 26, 1924, on three charges of grand larceny, growing out of a bank failure; sentence, 3 to 6, 2 to 4, and 1 to 2 years; had been paroled on first sentence and served 5 months on second. Believing the man had been sufficiently punished, pardon was granted May 26, 1926.

Rodney Kraut—Missoula, perjury; sentenced March 26, 1926, to 3½ to 7 years. On recommendation of County Attorney and petitions signed by many citizens of Missoula and Ravalli counties, pardon was granted July 15, 1926.

Olaf Richardson—Golden Valley; rape; sentenced Oct. 25, 1922, to 8 to 16 years. He would have been parolable in a short time, but because of his age and physical condition and statements of District Judge he was pardoned Aug. 14, 1926.

Y. E. Hurt—Beaverhead; violation of prohibition laws; sentenced in June, 1925, to 18 months and a fine of \$1,000. Later he was fined an additional \$500 for contempt of court. He had served about 15 months. On the showing that he had no money or property and that his family were objects of charity, and the recommendations of County Attorney and Sheriff, he was pardoned and his fines remitted on Aug. 23, 1926.

Andrew Jacobsen—Missoula; possessing intoxicating liquors; sentence 60 days in county jail and a fine of \$200. Because of his advanced age and the fact that he was only technically guilty, pardon was granted Sept. 27, 1926, conditioned upon his payment of the fine.

Jack Taylor—Fergus; violation of liquor laws, two counts; sentenced July 27, 1926, to 90 days in county jail on each count and a fine of \$200 in each, fine on first count being remitted by the court. Taylor had served four months of his terms, had no money with which to pay the fine, and was suffering from toxic goiter and in need of hospital attention. Recommended by both District Judges, County Attorney and members of Sheriff's force. Pardoned and fine remitted Nov. 16, 1926.

George Myers—Cascade; second degree murder; sentenced in Jan. 1916, to life imprisonment. Prisoner is an old man and had been behind the bars almost eleven years. County Attorney had no objection to clemency. Because of mitigating circumstances in case, age of prisoner and length of time served, pardon was granted Dec. 13, 1926.

COMMUTATIONS

Royal Houger—Pondera; burglary; committed to Prison March 31, 1924, for term of 3 to 10 years. Houger was implicated in the Valier bank robbery, but pleaded his guilt in court and was a valuable witness in a case involving a bank robbery in Canada, aiding in conviction of the chief offender and recovery of a large amount of loot. His conduct shortly before his arrest and in the prison was such as to give promise of his reformation, and on recommendation of County Attorney and others Houger's sentence was on May 11, 1925, commuted to 2 to 10 years.

Frank Wilson—Flathead; obtaining money under false pretenses; received June 14, 1923, sentence 6 to 14 years. Wilson had done good work in the identification department at the prison and the then Warden recommended clemency, as did the prosecuting witness in the case. On May 21, 1925, sentence was commuted to 4 to 14 years.

Rollin Ackerman—Dawson; stealing flax; received December 21, 1924, for term of 2 to 4 years. On recommendation of District Judge and because of prisoner's youth, sentence was on August 8, 1925, commuted to 1 to 2 years.

Everett Potter—Ravalli; grand larceny; received January 19, 1924, for term of 5 to 10 years. District Judge, County Attorney and nine jurors asked clemency for prisoner and on October 8, 1925, sentence was cut to 2 to 5 years.

William Starner—Wheatland; rape; sent up in April, 1920, for 15 to 30 years. He was in his 75th year and his health was badly broken. His family pleaded that he be not permitted to die within the prison walls, and on January 2, 1926, sentence was commuted to 10 to 20 years.

Raymond Logan—Daniels; grand larceny; received August 18, 1924, for a term of 5 to 10 years. Clemency recommended by District Judge, County Attorney and many citizens of the county. Sentence commuted to 3 to 6 years on February 9, 1926.

Dan Murphy—Silver Bow; robbery; sent up February 18, 1925, for 4 to 9 years. On recommendation of District Judge and County Attorney sentence was on March 1, 1926, cut to 2 to 4 years.

George Schaffer—Big Horn; rape; received March 18, 1924, for a term of 12 to 24 years. Schaffer is an Indian, and epileptic, and at the time of the commission of the crime was only 18 years of age. He had been a model prisoner and on recommendation of the County Attorney sentence was on April 10, 1926, commuted to 4 to 8 years.

Edwin Kemp—Lincoln; rape; received September 29, 1925, for term of 2 to 4 years. Kemp was little more than a boy and the County Attorney and a majority of the jury recommended clemency. On April 14, 1926, sentence was reduced to 1 to 2 years.

Leslie Fowler—Lewis and Clark; burglary; sent up December 31, 1924, for 5 to 10 years. On recommendation of the District Judge and County Attorney sentence was on May 6, 1926, commuted to 2½ to 5 years.

Ernest Atencio—Silver Bow; rape; sentenced April 21, 1924, to 20 to 45 years. Testimony showed that he was convicted on the uncorroborated evidence of a nine-year-old child and affidavits were submitted showing that the child had been drilled by her parents as to what to say on the witness stand. On May 26, 1926, sentence was commuted to 5 to 10 years.

Ben McPherson—McCone; manslaughter; sent up June 27, 1925, for 5 to 10 years. Strong appeals were made by residents of his home community and his physical condition was shown to be very poor; on May 26, 1926, his sentence was commuted to 2 to 5 years.

Fay S. Haskins—Yellowstone; grand larceny; sent up November 28, 1925, for 2 to 4 years. He had a dependent family, a good position was awaiting him, and on recommendation of the presiding Judge and County Attorney, with the prosecuting witness, sentence was on July 28, 1926, cut to 1 to 2 years.

Joseph Putzel—Silver Bow; robbery; sentenced February 18, 1925, for 4 to 9 years. On recommendation of the presiding Judge and County Attorney and because of his good record, sentence was on July 28, 1926, cut to 3 to 6 years.

Don DeShirlia—Sanders; assault in the first degree; sent up March 26, 1925, for 5 to 10 years. He had formerly been a police officer at Pocatello, Idaho, and officials of that city petitioned for clemency for him. He had served 16 months and in the belief that he had been adequately punished his sentence was on July 30, 1926, cut to 2 to 5 years.

Mark Mills and Harold Seifert—Silver Bow; robbery; sentenced July 8, 1925, to 12 to 30 years. A large number of friends of the youths in their home state of Missouri petitioned for clemency, and in this were joined by the victims of the robbery and other citizens and officials of the city of Butte, while the presiding Judge offered no objection to a reduction in sentences. Because of the youth of the prisoners and to give them their chance in life, the sentences were commuted on August 13, 1926, to 4 to 8 years.

Louie Won—Silver Bow; first degree murder; sentence, death. The crime was committed in a Butte brothel and numerous circumstances contributed to the belief that the Chinaman, who was only 19 years of age, should not be made to pay the extreme penalty. Clemency was urged by 58 of the 70 members of the Butte bar, a large number of the city's prominent citizens in all walks of life, and 11 of the jurors. On August 24, 1926, the sentence was commuted to life imprisonment.

Clarence Preston—Judith Basin; burglary; sent up January 29, 1926, for 3 to 6 years. District Judge and County Attorney recommended clemency because of extreme youth of prisoner and sufficient punishment. Comuted September 1, 1926, to 1½ to 3 years.

Winfred J. Morss—Fergus; burglary; sentenced January 29, 1926, to 3 to 6 years. Prisoner was in his teens at time of crime. County Attorney and others recommended executive action and on September 1, 1926, sentence was cut to 1½ to 3 (three) years.

John Welch—Gallatin; burglary; sentenced February 26, 1924, to 6½ to 15 years. His prison record had been excellent, and clemency was recommended by District Judge, County Attorney and Warden. Sentence commuted September 15, 1926, to 5 to 10 years.

William L. Hemrick—Carter; first degree assault; committed April 16, 1926, for 5 to 10 years. On account of poor physical condition, and recommendation of presiding Judge, sentence was on October 6, 1926, cut to 1 to 5 years.

Thomas Berg—Sweet Grass; possession of intoxicating liquors; sentenced October 5, 1926, to 60 days in jail and fined \$200. He was a hard-working man of previous good reputation, and had a dependent family in desperate condition. The District Judge urged clemency and on October 20, 1926, sentence was commuted to 30 days, conditioned upon payment of the fine.

Ralph Hardenbrook—Fergus; grand larceny; sent up in January, 1926, for 4 to 8 years. On recommendation of District Judge and County Attorney sentence was commuted November 5, 1926, to 2 to 4 years.

E. B. Hunter—Toole; manslaughter; sentenced in January, 1925, to 5 to 10 years. Hunter had served nearly 2 years, had been a model prisoner, and many citizens of Toole and Cascade counties petitioned for clemency, among these being the Cascade County Attorney. On December 13, 1926, sentence was commuted to 3 to 6 years.

FINES REMITTED

Charles Langston—Wheatland; manufacturing liquor; sentenced at Fall Term, 1924, to 60 days in county jail and fined \$200. Langston had served his term but was unable to pay the fine. He had three motherless children for which the county had been caring. Fine was remitted February 7, 1925, on recommendation of District Judge.

Jess Franklin—Wheatland; violation of prohibition laws; sentenced December 4, 1924, to 4 months in county jail and fined \$700. He served his time and it was claimed he could not pay the fine. Four of the jurors in his case asked that the fine be remitted. This was done March 21, 1925.

Charles Brubaker—Dawson; Selling liquor to minor; sentenced November 24, 1924, to 9 months in county jail and fined \$750. Prisoner had served more than his jail term, was without funds, and on August 31, 1925, unserved portion of fine was remitted. Recommended by District Judge, County Attorney and numerous business men of Glendive.

Frank R. Bradley—Richland; manufacture and possession of liquor; sentenced June 10, 1925, to 90 days in jail and fined \$250 on each of two counts, jail sentence to run concurrently. Bradley served his time and was unable to pay the fines. The District Judge, keeping a promise made from the bench, interceded in the prisoner's behalf, and on October 2, 1925, unserved portion of fines were remitted.

Pearl Moore—Richland; violation of prohibition laws; sentenced February 20, 1925, to 6 months in jail and fined \$500 on each of two counts, jail sentences to run concurrently. Moore had served his jail terms and a part of his fines. County was aiding his family while he was in jail. County Attorney and many petitioners asked clemency, and on October 7, 1925, fine on second count was reduced to \$250.

Frank Keyes—Jefferson; possession of liquor; sentenced in May, 1925, to 4 months in jail and fined \$500. Had served a month beyond his jail term. Sheriff and others asked a remission of fine in order that Keyes might go to another state to take a position that awaited him. On October 8, 1925, unserved portion of fine was remitted, on condition that he leave the state.

Robert D. Harrington—Flathead; violation of prohibition laws; sentenced in July, 1925, to 90 days and fined \$500. On suggestion of County Attorney and petitioners fine was reduced to \$200 on October 15, 1925.

Alice Hill—Custer; violating prohibition laws; sentenced at April term, 1925, to 6 months in jail and fined \$750. On recommendation of District Judge and County Attorney, fine was on November 4, 1925, reduced to \$150, she having served more than her jail term.

Wong Jan Yen—Yellowstone; second degree assault; sentenced Nov. 1922, to 2 to 5 years and fined \$2,000. Prisoner had served more than 3 years, but question of parole was complicated by the fine imposed. Feeling that the prisoner had been sufficiently punished, the fine was remitted on January 2, 1926.

Ed Hedrick—Phillips; in May, 1925, sentenced to 40 days in jail and fined \$50 for disorderly conduct. Later charged on two counts with violating the prohibition laws and sentenced to 120 days in jail and fined \$400. He had spent 8 months in jail and was without funds. On recommendation of County Attorney unserved portion of fines were remitted January 8, 1926.

Angus McLead—Deer Lodge; selling liquor; sentenced December 12, 1925, to 60 days in jail and fined \$200. On recommendation of District Judge the fine was remitted on January 27, 1926.

Louis Holt—Cascade; violating prohibition laws; sentenced February 9, 1926, to 60 days in jail and fined \$100. On recommendation of County Attorney and County Commissioners fine was remitted March 18, 1926.

Wong Fong—Yellowstone; selling cocaine; sentenced in May, 1925, to 5 to 10 years and fined \$1,000. Fong was 62 years old and had lived in Montana near a quarter of a century. It was insisted that he would never be able to pay the fine, which fact would greatly delay his chance for a parole. On May 1, 1926, the fine was remitted.

Leroy Ogle and Roy Dirl—Dawson; violation of liquor laws; sentenced January 15, 1926—Ogle to 90 days in county jail on each of two counts and fined \$200 in each; Dirl to 90 days and fined \$400. Their jail terms had been served. On April 20, 1926, Ogle was granted a remission of the unserved portions of his fines, while Dirl's fine was reduced to \$200; recommended by District Judge.

Edgar McClanahan—Stillwater; possession of liquor; sentenced Jan. 7, 1926, to 60 days in jail and fined \$200. He had long since completed his jail sentence, and on recommendation of District Judge and County Attorney the unserved portion of his fine was remitted May 6, 1926.

Martin Sorenson—Beaverhead; violating prohibition laws; sentenced in June, 1925, on two counts—on one, six months in the county jail and fined \$750; on the other, three months in jail and fined \$250. He had no money with which to pay the fines; he was 65 years old; prominent citizens pleaded for him. On August 30, 1926, fines were remitted.

Lottie Young—Custer; possessing liquor and maintaining a common nuisance; sentenced at April term, 1926, to sixty days in jail and fined \$250 on each of two counts. She had served her jail term and more, and on October 13, 1926, on recommendation of the District Judge, the fine was reduced to \$100.

Harry Long—Fergus; violating prohibition laws; sentenced August 28, 1926, to 60 days in jail and fined \$200. Had served the jail term but was unable to pay fine. On recommendation of District Judge, County Attorney, Sheriff and others the fine was remitted on November 9, 1926.

Dan Duncan—Flathead; violating prohibition laws; sentenced in May 1926, to 90 days in jail and fined \$1,000. Had served his jail and nearly three months on the fine. County Attorney recommended clemency. On November 16, 1926, unserved portion of fine was remitted.

TRANSFERRED

James DeLong—Convicted in Park county on a charge of grand larceny and sent up for 3½ to 7 years, on July 20, 1926. It developed that at the time of his conviction DeLong was only 17 years of age, but he had kept the fact from the court. On September 27, 1926, he was ordered transferred to the State Industrial School.

COMMUTATION BY ACTING GOVERNOR

Raymond Douglas—Flathead; murder in the second degree; sent up March 30, 1923, for 18 to 50 years. His conduct in prison had been exemplary, and because of his youth the minimum of his sentence was on June 10, 1925, reduced to 9 years.

Moved by Bricker, duly seconded and carried, that the communciation from the Governor be considered read at length and the Journal so show.

Helena, Montana, January 6th, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day given:

By McCone: "An Act relating to tax deeds, tax deeds as evidence, time for actions to annul tax deeds, validity of certificates of tax sale heretofore issued, and refund of taxes illegally collected or included in amount of tax sale, and amending Sections 2222 and 2214 of Revised Codes of Montana, of 1921, relating to refund of taxes, penalties, interest and costs illegally collected, tax deeds as evidence, and actions to annul."

Respectfully,

J. F. CONE, Secretary of the Senate.

Helena, Montana, January 6, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. B. No. 1, by Kemmis, entitled, "An Act to repeal Chapter 95 of the Session Laws of 1915, Section 1113 to 1132 of the Revised Codes of Montana of 1921, both inclusive, and providing that teachers who have retired when this act takes effect shall continue to draw a retirement salary until the retirement salary fund has been exhausted," was this day read first and second times and referred to the Committee on Education.

Respectfully,

J. F. CONE, Secretary of the Senate.

Helena, Montana, January 6, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following appointments, made during the recess of the Senate, by the Governor, were this day confirmed:

To be members of the State Livestock Commission—A. M. Moore of Flathead County; Percy Williamson of Custer County; C. J. McNamara of Choteau County.

To be members of the State Board of Charities and Reform—Mrs. E. S. Thomas of Lewis and Clark County; Rev. James F. McNamee of Lewis and Clark County.

To be members of the Board of Managers of the State Soldiers' Home—James R. Goss of Yellowstone County; Julius Barney of Lewis and Clark County.

To be members of the State Board of Architectural Examiners—George R. Shanley of Cascade County; Fred F. Willson of Gallatin County; W. R. Plew of Gallatin County.

To be Deputy Register of State Lands—Mrs. Nanita Bagley Sherlock of Broadwater County.

To be State Examiner—Jay G. Larson of Lewis and Clark County.

To be members of the State Board of Medical Examiners—Dr. E. W. Spottswood of Missoula County; Dr. A. W. Deal of Fergus County.

To be members of the Board of Trustees of the State Historical Library—Mrs. Josephine Hepner of Lewis and Clark County; James T. Stanford of Cascade County; Wylls A. Hedges of Fergus County; David Hilger of Fergus County; Martin J. Hutchens of Missoula County.

To be State Forester—Rutledge Parker of Missoula County.

To be State Land Agent—L. E. Choquette of Hill County.

To be members of the State Board of Education—Walter M. Bickford, of Missoula County; James H. Rowe of Silver Bow County.

To be members of the State Livestock Commission—A. M. Moore, of Flathead County, for the term ending March 1, 1931; Percy Williamson, of Custer County, for the term ending March 1, 1931; C. J. McNamara, of Choteau County, for the term ending March 1, 1927.

To be members of the State Board of Charities and Reform—Rev. James F. McNamee, of Lewis and Clark County, for the term ending March 2, 1929; Mrs. E. S. Thomas, of Lewis and Clark County, for the term ending March 2, 1931.

To be members of the Board of Managers of the State Soldiers' Home—James R. Goss, of Yellowstone County, for the term ending April 18, 1929;

Julius Barney, of Lewis and Clark County, for the term ending April 18, 1929.

To be members of the State Board of Architectural Examiners—George H. Shanley of Cascade County; Fred F. Willson, of Gallatin County; W. R. Plew of Gallatin County. each for the term ending March 27, 1929.

To be Deputy Register of State Lands—Mrs. Nanita Bagley Sherlock, of Broadwater County, for the term ending May 1, 1929.

To be State Examiner—Jay G. Larson, of Lewis and Clark County, for the term ending June 1, 1929.

To be members of the State Board of Medical Examiners—Dr. E. W. Spottswood, of Missoula County, for the term ending February 10, 1932; Dr. A. W. Deal, of Fergus County, for the term ending February 10, 1933.

To be members of the Board of Trustees, of the State Historical Library—Mrs. Josephine Hepner, of Lewis and Clark County; Wyllys A. Hedges of Fergus County; David Hilger, of Fergus County; Martin J. Hutchens, of Missoula County; each for the term ending January 11, 1928.

To be State Forester—Rutledge Parker of Missoula County, for the term ending March 1, 1930.

To be members of the State Board of Education—Walter M. Bickford, of Missoula County; James H. Rowe, of Silver Bow County, each for the term ending February 1, 1930.

To be State Land Agent—L. E. Choquette, of Hill county, for the term ending March 15, 1930.

Respectfully,

J. F. CONE, Secretary of the Senate.

Moved by Bricker, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

Mr. Speaker announced the appointment of the following committees:

Revenue and Taxation—Bricker, Judith Basin, Chairman; Holton, Garfield, Vice Chairman; Rockwood, Flathead; Bretzke, Valley; Cooney, Cascade; Donaldson, Chouteau; Jameson, Yellowstone; Jones, Phillips; Ryder, Roosevelt; Sutton, Petroleum; Burke, Deer Lodge; Benjamin, Toole; Adair, Lewis and Clark; Doran, Silver Bow; McCleary, Carbon.

State Lands—Holton, Garfield, Chairman; Nelstead, Carter, Vice Chairman; Benson, Sheridan; Foot, Flathead; Johnson, Valley; Merritt, Musselshell; Ryder, Roosevelt; Stambaugh, Powell; Waite, Powder River; Tinsley, Madison; Dellwo, Lake; Plank, Liberty; Rife, Beaverhead; Rognlien, Flathead; Larson, Sheridan.

Fish and Game—Nelson, Phillips, Chairman; Throssell, Yellowstone, Vice Chairman; Arnold, Stillwater; Harris, Meagher; Johnson, Valley; Steeves, Park; Rockwood, Flathead; Jones, Ravalli; Dunn, Gallatin; Marshall, Missoula; Akofer, Pondera; Dellwo, Lake; McCleary, Carbon; Miller, Lincoln; Tierney, Sanders.

Livestock and Public Ranges—Leavens, Yellowstone, Chairman; Harris, Meagher, Vice Chairman; Holton, Garfield; Merritt, Musselshell; Moulton, Fergus; Jones, Phillips; Waite, Powder River; Sutton, Petroleum; Stambaugh, Powell; Rife, Beaverhead; Tinsley, Madison; Bretzke, Valley; Plumer, Treasure; Plank, Liberty; Nicholson, Sweet Grass.

Judiciary Committee—Burns, Blaine, Chairman; Cavanaugh, Silver Bow, Vice Chairman; Flachsenhar, Prairie; Cheadle, Fergus; Foot, Flathead; Jameson, Yellowstone; Leavitt, Custer; Knight, Deer Lodge; Besancon, Missoula; Nagle, Lewis and Clark; Lamb, Silver Bow; Adair, Lewis and Clark; Sample, Dawson; Rockwood, Flathead; Leavens, Yellowstone.

Printing Committee—Cooney, Cascade, Chairman; Moss, Flathead, Vice Chairman; White, Richland; Akofer, Pondera; Plank, Liberty; Benjamin, Toole.

Military Affairs—White, Richland, Chairman; Cheadle, Fergus, Vice Chairman; Bretzke, Valley; Burns, Blaine; Foot, Flathead; Thorburn, Wheat-

land; Throssel, Yellowstone; Flachsenhar, Prairie; Nelstead, Carter; Leavens, Yellowstone; Nagle, Lewis and Clark; Gustafson, Blaine; Adair, Lewis and Clark; Jameson, Yellowstone; Plank, Liberty.

Labor Committee—Clark, Rosebud, Chairman; White, Richland, Vice Chairman; Jones, Cascade; McLeod, Granite; Merritt, Musselshell; Troy, Hill; Cavanaugh, Silver Bow; Erickson, Golden Valley; Rognlien, Flathead; Darlinton, Gallatin; Shields, Cascade; Prescott, Missoula; Mulholland, Silver Bow; Larson, Sheridan; Burke, Deer Lodge.

Moved by Bricker, duly seconded and carried that the House recess until 1:30 P. M.

AFTERNOON SESSION

House resumed at 1:30 P. M.

Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce bills as follows:

By Leavitt: A Bill for an Act entitled: "An Act to amend Section 10212 and Section 10213 of the Revised Codes of Montana, 1921, relating to the order fixing time of hearing of petition to sell real estate and realty contracts in probate proceedings and providing for the giving of the notice of the hearing thereof."

By Nelson, Leavitt, Sample, Bretzke, Flachsenhar and Burns: A Bill for an Act entitled: "An Act relating to the Sale of real property for delinquent taxes, and to amend Sections 2217, 2218, 2219, 2220, 2221, 2231, 2232, and 2233, and to repeal Sections 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2191, 2192, 2193, 2194, 2190, 2195, 2196, 2197, 2201, 2202, 2204, 2205, 2206, 2207, 2208, 2209, 2212, 2213, 2214, 2215, 2216, 2224, 2225, 2229 and 2230 of the Revised Codes of Montana of 1921, with the amendments thereto."

At this time, Mr. Speaker asked the members to please send their notices to the desk in triplicate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker announced the appointment of the following committees: Education—Flachsenhar, Prairie, Chairman; Rockwood, Flathead, Vice Chairman; Jameson, Yellowstone; Curran, Roosevelt; White, Richland; Dougherty, Ravalli; Leavitt, Custer; Marshall, Missoula; Merritt, Musselshell; Troy, Hill; Dellwo, Lake; Mulholland, Silver Bow; Plank, Liberty; Tierney, Sanders; Sparling, Daniels.

Flachsenhar of Prairie was added to Committee on Affairs of Cities.

Railroads and Transportation—Green, Dawson, Chairman; Clarke, Rosebud, Vice Chairman; Waite, Powder River; Logan, Yellowstone; Jones, Cascade; Marshall, Missoula; Thorburn, Wheatland; Moss, Flathead; Troy, Hill; Darlinton, Gallatin; Shields, Cascade; Fulsher, Mineral; Murphy, Deer Lodge; Tierney, Sanders; Brown, Cascade.

MOTIONS AND RESOLUTIONS

The following resolution introduced by Adair, Mason, Nagle, Westlake, Dunn, and Darlinton without notice, was read in full by the clerk:

House Resolution by Adair, Mason, Nagle, Westlake, Dunn and Darlinton:

WHEREAS, The Divine Providence in its infinite wisdom has seen fit to remove from our midst the Honorable S. W. Langhorne, Sr., and,

WHEREAS, The said S. W. Langhorne, Sr., served as an honored and valuable member of the First Territorial Assembly of the territory of Montana, as a member from Gallatin County, and,

WHEREAS, The said S. W. Langhorne, Sr., was honored by being selected Speaker of the First Territorial Assembly of the territory of Montana;

NOW, THEREFORE, BE IT RESOLVED that the Members of the House of Representatives of the Twentieth Legislative Assembly of the State of Montana, deploring the recent death of said S. W. Langhorne, Sr., and desiring to express in permanent form their appreciation of the valuable public services rendered to the State of Montana in its formative period, adopt this resolution for preservation in the records of the House.

BE IT FURTHER RESOLVED, That the House of Representatives of the Twentieth Legislative Assembly of the State of Montana extend its sympathy to the bereaved wife and family of said deceased and that an enrolled copy of this resolution be sent by the Chief Clerk of this body to his widow and other members of his family.

Moved by Adair, duly seconded and carried, that the above resolution be adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND SENATE

The following communications were received from the Senate:

Helena, January 7, 1927

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President, in open session, this day signed House Bill No. I.

Respectfully,

J. F. CONE, Secretary of Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the notice was given by Dowlin that he would on Monday, January 10th, 1927, or some subsequent day, make a motion under Rule 35, that an additional member be added to the Committee on Fish and Game.

Respectfully,

J. F. CONE, Secretary of Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given:

By Survant: "An Act relating to the sale of real property for delinquent taxes, and to amend Sections 2217, 2218, 2219, 2220, 2221, 2231, 2232, and 2233, and to repeal Sections 2182, 2193, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2201, 2202, 2204, 2205, 2206, 2207, 2208, 2209, 2212, 2213, 2214, 2215, 2216, 2224, 2225, 2229, and 2230, of the Revised Codes of Montana of 1921, with the amendments thereto, and providing a method for the compromise of taxes, penalties and interest or real property delinquent for taxes, and authorizing County Commissioners, in certain cases, to sell such real property to bona fide buyers for restoration to the assessment rolls."

By Walker: "An Act to amend Section 10295, Revised Codes of Montana, 1921, relating to estates and providing that an executor or administrator may be cited to account after his authority ceases or is revoked, that in case of the death of an executor, administrator or guardian his accounts may be presented by his personal representative to the Court for settlement and that upon the petition of the successor or such deceased executor, administrator or guardian such court may compel the personal representative of such deceased executor, administrator or guardian to render an account of the administration of his testator, intestate or ward."

By Mears: "An Act to amend Section 8812 and 8813, Revised Codes, Montana, 1921, defining Judicial Districts within the State of Montana and designating the number of judges thereof, and abolishing the twelfth Judicial District as now constituted, attaching Chouteau County to the Eighth Judicial District, and renumbering all districts from and subsequent to the Twelfth District to conform to the reduction herein made; and designating the number of Judges for said districts."

By Church: "An Act to amend Chapter 188 of the Session Laws of the Nineteenth Legislative Assembly requiring the licensing of dealers in oleomargarine or other substitutes for dairy products, fixing the fees for same and providing penalties for the violation of this Act."

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Besancon, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker at this time announced that the name of Flachsenhar had been omitted, through typographical error, from the Committee on Affairs of Cities and that his name should be added to said Committee.

Mr. Speaker excused Foot until Wednesday Morning, January 12.

Mr. Speaker announced that H. B. No. 6 was recalled from the Committee on Revenue and Taxation and re-referred to Committee on Highways.

Moved by Bricker, duly seconded and carried, that out of respect to the Memory of S. W. Langhorne, Sr., Speaker of the First Territorial Assembly, that the House adjourn until 2:00 P. M. Monday, January 10th.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

EIGHTH DAY

House of Representatives,

Helena, Montana, January 10, 1927

House convened pursuant to adjournment at 2:00 P. M.

Mr. Speaker in the chair.

On roll call all members present except: Goodwin, absent; Hardcastle, absent; Kelly, excused on account of illness; Westlake, excused on account of illness.

Moved by Bricker, duly seconded and carried that the reading of the Journal be dispensed with, but that the Journal Committee report back with recommendations.

COMMUNICATIONS AND PETITIONS

Chief Clerk stated he had been requested to announce that Miriam Chapter No. 1, Order of Eastern Star will meet Tuesday evening at 8 P. M., at the Masonic Temple and all affiliated members are cordially invited to attend.

The following communication was received from Lewis and Clark Post No. 2, American Legion of Montana:

"Helena, Montana, January 7, 1927

Hon. Harry M. Shelver, State Capitol, Helena, Montana.

Dear Comrade: Lewis and Clark Post No. 2, American Legion of Montana, Helena, Montana, will hold its Annual Dinner Meeting and Election of Officers for the ensuing year, next Tuesday evening, January 11, at 6:30 in the Eddy Rose Room.

At this time I wish to extend to all ex-service men present in our city during the legislative session an invitation to be present and enjoy this meeting with the Legionaires of Helena and Lewis and Clark County. I am sending letters to the ex-service men that I have record of as being in the city, and if there are any who do not receive one of these letters, I hope that they will avail themselves of this invitation and also be present with us at this, our biggest meeting of the year.

It will certainly be appreciated by the members of Lewis and Clark Post No. 2, if this invitation can be read to all members of the Senate and the House of Representatives.

Thanking you in advance for your kindness in this matter, I remain
Fraternally yours,

WILLIAM B. NEVILLE, Adjutant,
Lewis and Clark Post No. 2, Helena, Montana."

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Rockwood: A Bill for an Act entitled: "An Act to amend Section 3714 of the Revised Codes of Montana of 1921 as amended by Section 25 of Chapter 192 of the Laws of the Nineteenth Legislative Assembly regulating the taking and catching of fish, use of seines, licenses to use nets and providing penalties therefor."

By Jones of Phillips: A Bill for an Act entitled: "An Act relating to taxation and the regulating of the sale of property for taxes delinquent in the years 1923, 1924, and 1925, and remitting the interest and penalty for such delinquent taxes for said years if paid before October 30, 1927."

By Cheadle and Harris: A Bill for an Act entitled: "An Act to amend Chapter 39 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana, relating to the sale or gift of intoxicating liquors to minors, and providing penalty therefor."

By Burns: A Bill for an Act entitled: "An Act to amend Chapter 20, Session Laws of 1925, providing for a monthly maintenance allowance for persons receiving vocational rehabilitation and training under the Provisions of Section 3044 to 3051, Revised Codes of Montana of 1921 and defining the terms and conditions of such allowance."

REPORTS OF STANDING COMMITTEES

The following report was received from the Journal Committee:

"Mr. Speaker: 'We, your Committee on Journal, having examined the Journal for the Fifth Legislative Day, find the same to be correct.

G. W. DARLINTON, Chairman."

Moved by Darlington, duly seconded and carried that the above report be adopted as read.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to committees as follows:

H. B. No. 10, by Leavitt, A Bill for an Act entitled: "An Act to amend Section 6036 of the Revised Codes of Montana, 1921, as amended by Chapter 9 of the State Laws of the Eighteenth Legislative Assembly of 1923, relating to liability of Stockholders in State Banks and providing means for paying and collecting said liability, and repealing all acts and parts of Acts in conflict herewith." Referred to Committee on Banks and Banking.

H. B. No. 11, By Leavitt: A Bill for an Act entitled: "An Act to amend Section 9256 of the Revised Codes of Montana, 1921, relating to the provisional remedy of attachment in civil cases and when attachment may issue." Referred to Judiciary Committee.

H. B. No. 12, By Marshall: A Bill for an Act entitled: "An Act relating to school district bonds; granting boards of trustees of school districts of all classes the power to issue, negotiate and sell or exchange bonds for certain purposes under certain limitations and restrictions; providing the manner of holding bond elections and prescribing the qualifications of electors; prescribing the procedure governing the issuing, sale, or exchange of such bonds; providing for payment of the principal and interest on such

bonds; prescribing the duties of boards of school trustees, boards of county commissioners, and county treasurers in connection with the levying and collection of taxes for the payment of principal and interest on such bonds; and repealing Sections 1032, 1227, 1230, 1231, 1232, 1233, and Sections 1243, to 1251 inclusive, of the Revised Codes of Montana of 1921; repealing Sections 1224, 1225, 1226, 1228 and 1229 of the Revised Codes of 1921, as amended by Chapter 153 of the laws of the Eighteenth Legislative Assembly; repealing the said Chapter 153, and all other Acts and parts of Acts in conflict with the provisions of this Act." Referred to Revenue and Taxation Committee.

H. B. No. 13, By Budas: A Bill for an Act entitled: "An Act to amend Section 3588 (a) Revised Codes of Montana, relating to public grain warehouses, and being Section 4 of Chapter 41 Session Laws 1923." Referred to Committee on Agriculture.

H. B. No. 14, By Adair: A Bill for an Act entitled: "An Act relating to courses of instruction in schools, colleges, universities, and other educational institutions of the State of Montana." Referred to Committee on Education.

H. B. No. 15, By Cavanaugh: A Bill for an Act entitled: "An Act relating to primary election; specifying the form of ballot and method of voting at such primary election; requiring a statement of party affiliation by electors and registration of such statement by the county clerk of the county on registration lists, and repealing Section 651 R. C. M. 1921, and all Acts or parts of Acts in conflict herewith." Referred to Committee on Privileges and Elections.

H. B. No. 16, By Fulsher: A Bill for an Act entitled: "An Act to amend Sections 11302 and 11303 of the Revised Codes of Montana of 1921 and to repeal Section 11309 of the Revised Codes of Montana of 1921, relating to the carrying of concealed weapons; providing a penalty for the violation of the law relating to the carrying of concealed weapons; and the jurisdiction of the courts over violations of said laws." Referred to Judiciary Committee.

H. B. No. 17, By Fulsher: A Bill for an Act entitled: "An Act to amend Section 1441 of the Revised Codes of Montana, of 1921, relating to the fees of physicians attending the examination of an insane person." Referred to Committee on Public Health and Sanitary Affairs.

Mr. Reed asked that he be permitted to introduce, without previous notice, House Bill No. 18 and House Bill No. 19. There being no objections such privilege was granted and the House Bills introduced by Appropriation Committee were read at length and referred to the Appropriations Committee.

H. B. No. 18, By Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of certain claims arising from the operation of certain state departments, since July 1st, 1925."

H. B. No. 19, By Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the refund of overpayment of certain taxes, fees and other collections."

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Governor:

Moved by Besancon, duly seconded and carried that the communication from the Governor be considered read at length and the Journal to so show.

"January 10, 1927

The Speaker, House of Representatives, Helena, Montana.

I have the honor to transmit herewith a certified copy of a Memorial adopted by Legislature of the State of Florida, relating to relief for those engaged in agriculture and horticulture.

The Memorial is placed before you at the request of the Florida Legislature, for such consideration as your honorable body may desire to give the matter.

J. E. ERICKSON, Governor."

"HOUSE MEMORIAL NO. 1

Memorializing the Interstate Commerce Commission for the Relief of Those Engaged in Agriculture and Horticulture

WHEREAS, agriculture and horticulture are the basic industries of the State of Florida, employing the greatest number of its people, and engaging the largest amount of its capital, and the success and prosperity of these industries are essential to the welfare and development of the State;

AND, WHEREAS, conditions now existing not only in this State, but in other States dependent upon agriculture, are militating to such extent against these great and necessary industries as to drive from the farm and orchard those who have been engaged in this great work, and to force them to seek employment in other lines of industry, and as a result leaving thousands of fertile areas unoccupied and uncultivated;

AND, WHEREAS, the low prices received by the farmer and horticulturist for his products, and the high freights he is compelled to pay, have so reduced the returns from his labor that he is compelled to mortgage his farm to raise the necessary funds to operate it, and is denied many of the conveniences and some of the necessities of life for himself and family;

AND, WHEREAS, the charges for transportation, refrigeration, storage and demurrage enter largely into the business of moving and marketing crops, and constitute a large element in the cost of supplying the consumer with the fruits of the earth; and the laborer engaged in the transportation is paid greatly increased wages, while the farmer's return is growing less; and while the transportation companies are in a position to exact their freight and secure a profit on their great and frequently excessive capitalization, the producer is ground between the upper and nether millstones of the transportation corporation, and the broker who sells his perishable product;

AND, WHEREAS, the transportation companies are protected by the Government from the effect of competition, so that they may receive a reasonable return for the services rendered and on the capital invested, the grower and producer of the fruits of the earth, in view of the perishable nature of the product of his industry, when he seeks a market is practically compelled to accept the price fixed by the purchaser;

AND, WHEREAS, by a reduction of rates on perishables and foot-stuffs, encouragement would be given the farmer to increase his production, and the volume of business for the transportation companies from this class of freights would be greatly increased, and what would be lost in the decreased rate would be more than gained by the increased values of shipments; Now Therefore,

BT IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA: That the Interstate Commerce Commission be and is hereby memorialized to take such action in fixing and regulating rates in interstate transportation, that the rates on agricultural and horticultural products may be reduced so that they will not exceed the rates which prevailed prior to the World War; and that the demurrage regulations may be so modified and amended as to grant to shippers and receivers of such commodities further time for loading and storage before demurrage is charged, because of the difficulties of handling and delivering farm products.

RESOLVED: That the Senators and Representatives in Congress from the State of Florida be requested to take such action with reference to this memorial as may be appropriate, with a view of obtaining for it proper

consideration by the Interstate Commerce Commission; and if present legislation is inadequate to secure the relief sought, that they take the necessary action to procure the passage of such a law.

AND BE IT FURTHER RESOLVED, that the Railroad Commissioners of the State of Florida be requested to take such action as may be appropriate to aid in the bringing about the accomplishment of the objects of this memorial.

Resolved: That the Secretary of the State be and he is hereby directed to mail a copy of this memorial certified under the great seal of State to the Interstate Commerce Commission, to each of the Senators and Representatives in Congress from the State of Florida, and to the Governor of each State of the United States; and that the Governors of the several States be requested to call this memorial to the attention of the Legislature of his State at its next session; and to invite co-operation in order to secure the much needed relief sought by this memorial.

Approved by the Governor April 24, 1925.

STATE OF FLORIDA Office of Secretary of State

I, H. CLAY CRAWFORD, Secretary of State of the State of Florida, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of House Memorial No. 1 as passed by the Legislature of the State of Florida (Regular Session 1925) as shown by the enrolled Memorial on file in this office.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the twenty-fourth day of February A. D. 1926.

SEAL

H. CLAY CRAWFORD, Secretary of State.

REPORT OF STANDING COMMITTEES

Mr. Speaker announced the appointment of the following committees:

Ways and Means—Troy, Hill, Chairman; Throssel, Yellowstone, Vice Chairman; Nelson, Phillips; Warren, Big Horn; Dunn, Gallatin; Curran, Roosevelt; Jones, Phillips; Cheadle, Fergus; Foot, Flathead; Darlinton, Gallatin; Ballard, Silver Bow; Abrahamson, Carbon; Bonine, Hill; Brown, Cascade; Chatham, Silver Bow.

Banks and Banking—Waite, Powder River, Chairman; Leavens, Yellowstone, Vice Chairman; Flachsenhar, Prairie; Nelstead, Carter; Budas, Carbon; Miller, Fergus; Sample, Dawson; Rockwood, Flathead; Warren, Big Horn; Besancon, Missoula; Brown, Cascade; Bonine, Hill; Miller, Lincoln; Murphy, Deer Lodge; Ballard, Silver Bow.

Horticulture—Marshall, Missoula, Chairman; Green, Dawson, Vice Chairman; Gustafson, Blaine; Hodgskiss, Teton; Jensen, Cascade; Knowles, Jefferson; Lamb, Silver Bow; O'Day, Cascade; Westlake, Gallatin; Rognlien, Flathead; Dougherty, Ravalli.

Insurance—Sample, Dawson, Chairman; Ryder, Roosevelt, Vice Chairman; Rorvik, McCone; Hodgskiss, Teton; Miller, Fergus; Reed, Broadwater; Willard, Missoula; Budas, Carbon; Cavanaugh, Silver Bow; Jones, Cascade; Murphy, Deer Lodge; Mason, Lewis and Clark; Westlake, Gallatin; Rife, Beaverhead; Rognlien, Flathead.

Workmen's Compensation—Nelstead, Carter, Chairman; Stambaugh, Powell, Vice Chairman; Merritt, Musselshell; Moulton, Fergus; Moss, Flathead; Cavanaugh, Silver Bow; Jones, Phillips; Dunn, Gallatin; Cooney, Cascade; Doran, Silver Bow; Murphy, Deer Lodge; Nagle, Lewis and Clark; Miller, Lincoln; Larson, Sheridan; Abrahamson, Carbon.

Petroleum Oil and Gas—Moulton, Fergus, Chairman; Sample, Dawson, Vice Chairman; Cheadle, Fergus; Kroman, Custer; Bricker, Judith Basin; Jones, Phillips; Arnold, Stillwater; Sutton, Petroleum; Shields, Cascade; Barry, Silver Bow; Murphy, Deer Lodge; Brown, Cascade; Akofer, Pondera; Benjamin, Toole; Plank, Liberty.

State Boards and Officers—Harris, Meagher, Chairman; Erickson, Golden Valley, Vice Chairman; Logan, Yellowstone; Miller, Fergus; Dougherty, Ravalli; Goodwin, Silver Bow; Jensen, Cascade; Lamb, Silver Bow; Chatham, Silver Bow.

Townships and Counties—Donaldson, Chouteau, Chairman; Green, Fergus, Vice Chairman; Sutton, Petroleum; Clausen, Park; Curran, Roosevelt; Dougherty, Ravalli; Kroman, Custer; Logan, Yellowstone; McLeod, Granite; Mason, Lewis and Clark; Kelly, Silver Bow; Nicholson, Sweet Grass; Plank, Liberty; Woodcock, Chouteau; O'Day, Cascade.

New Counties and Divisions—Throssel, Yellowstone, Chairman; Ryder, Roosevelt, Vice Chairman; Green, Fergus; Nicholson, Sweet Grass; Hagerty, Glacier; Stambaugh, Powell; Hardcastle, Silver Bow; Jones, Cascade; McCleary, Carbon; Mason, Lewis and Clark; Sparling, Daniels.

State Institutions, Public Buildings and Grounds—Arnold, Stillwater, Chairman; Dunn, Gallatin, Vice Chairman; Kroman, Custer; Logan, Yellowstone; Rorvik, McCone; Stambaugh, Powell; Hodgskiss, Teton; O'Day, Cascade; Kelly, Silver Bow; Benjamin, Toole; Burke, Deer Lodge; Woodcock, Chouteau.

Libraries—Curran, Roosevelt, Chairman; Lillis, Yellowstone, Vice Chairman; Jensen, Cascade; Barry, Silver Bow; Rorvik, McCone; Willard, Missoula; Bonine, Hill.

Public Utilities and State Commissions—Clausen, Park, Chairman; Dougherty, Ravalli, Vice Chairman; Green, Fergus; Hodgskiss, Teton; Hardcastle, Silver Bow; Jones, Cascade; McCleary, Carbon.

Development and Publicity—Budass, Carbon, Chairman; Rorvik, McCone, Vice Chairman; Sutton, Petroleum; Bricker, Judith Basin; Brown, Cascade; O'Day, Cascade; Plumer, Treasure.

Apportionment and Representation—Erickson, Golden Valley, Chairman; Rorvik, McCone, Vice Chairman; Budass, Carbon; Green, Dawson; Johnson, Valley; Hardcastle, Silver Bow; Larson, Sheridan; Plank, Liberty; Plumer, Treasure.

Corporations Other Than Municipal—Logan, Yellowstone, Chairman; Nelstead, Carter, Vice Chairman; Miller, Lincoln; Kelly, Silver Bow; Bonine, Hill.

Fairs and Expositions—Cooney, Cascade, Chairman; Leavens, Yellowstone, Vice Chairman; Adair, Lewis and Clark; Shields, Cascade; Mason, Lewis and Clark;

Public Health and Sanitary Affairs—Kroman, Custer, Chairman; Steeves, Park, Vice Chairman; Thorburn, Wheatland; Willard, Missoula; Throssel, Yellowstone; Curran, Roosevelt; Jones, Ravalli; Arnold, Stillwater; Plumer, Treasure; Fulsher, Mineral; Nagle, Lewis and Clark.

Conservation of National Resources—Bretzke, Valley, Chairman; Budass, Carbon, Vice Chairman; Hardcastle, Silver Bow; Rorvik, McCone; Lowry, Fallon; Miller, Lincoln; Woodcock, Chouteau.

Waterways and Navigation—Moss, Flathead, Chairman; Plumer, Treasure; Goodwin, Silver Bow; Hagerty, Glacier; Jensen, Cascade;

Equal Suffrage—Curran, Roosevelt, Chairman; Burns, Blaine; Ballard, Silver Bow; Bonine, Hill; Burke, Deer Lodge.

Public Safety—Clausen, Park, Chairman; Curran, Roosevelt, Vice Chairman; Jensen, Cascade; Jones, Ravalli; Leavitt, Custer; Miller, Fergus; Lamb, Silver Bow; Goodwin, Silver Bow; Fulsher, Mineral.

Internal Improvements—Larson, Sheridan, Chairman; Abrahamson, Carbon; Chatham, Silver Bow; Clausen, Park; Doran, Silver Bow; Fulsher, Mineral; Hagerty, Glacier.

Improvements and Manufacturing—Erickson, Golden Valley, Chairman; Marshall, Missoula; White, Richland; Warren, Big Horn; Doran, Silver Bow; Sparling, Daniels.

Constitutional Amendments—Jameson, Yellowstone, Chairman; Knight, Deer Lodge; Cheadle, Fergus; Rognlien, Flathead; O'Day, Cascade; Hardcastle, Silver Bow; Lowry, Fallon.

Federal Relations—Stambaugh, Powell, Chairman; Sparling, Daniels, Vice Chairman; Rognlien, Flathead; Woodcock, Chouteau; Benjamin, Toole.

Public Morals, Charities and Reforms—Willard, Missoula, Chairman; Curran, Roosevelt, Vice Chairman; Jameson, Yellowstone; Gustafson, Blaine; Hardcastle, Silver Bow; Nagle, Lewis and Clark; Benjamin, Toole; Barry, Silver Bow; Besancon, Missoula; Ballard, Silver Bow; Burns, Blaine; Adair, Lewis and Clark; Chatham, Silver Bow.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:00 A. M., January 11th.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

NINTH DAY

House of Representatives,
Helena, Montana, January 11, 1927.

House convened pursuant to adjournment at 10:00 A. M.

Mr. Speaker in chair.

Prayer by Chaplain.

On roll call all members present except: Hardcastle, absent; Holton, absent; Kelly, excused on account of illness; Warren, absent; Westlake, excused on account of illness.

COMMUNICATIONS AND PETITIONS

The following communication was read by the Chief Clerk:

"Helena, Montana, Jan. 7, 1927.

To the Speaker and Members of the House of Representatives of the 20th Session of the Montana State Legislature:

You are cordially invited to attend the 62nd Annual Convention of the National Wool Growers' Association to be held at Butte, Montana, January 20th, 21st and 22nd.

Very respectfully,

C. H. WILLIAMS, President
Montana Wool Growers' Association."

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Burns, Gustafson and Nelstead: A Bill for an Act entitled: "An Act to amend Section 1704 of the Revised Codes of Montana of 1921, providing for the levy and collection by the Board of County Commissioners of a special tax for the purpose of constructing, maintaining and repairing free public bridges."

REPORT OF SELECT COMMITTEES

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Eighth Legislative day find the same to be correct.

G. W. DARLINTON, Chairman."

Moved by Darlinton, duly seconded and carried that the report be adopted.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

January 10, 1927

"We your Committee on Employment, wish to submit the following report, to-wit: That we have on this day recommended for appointment, subject to call of the Sergeant-at-Arms, the following employees to be employed in this House during the coming session:

Position	Name
Stenographer—	Nell Sullivan.
Stenographer—	Mrs. Hogeland.
Stenographer—	Lenora Carney.
Clerical Work—	Merle Green.
Stenographer—	Catherine Cameron.
Stenographer—	Leila Lingshire.
Stenographer—	Mabel Holdaway.
Stenographer—	Mrs. E. A. Supple.

RYDER, Chairman."

Moved by Ryder, duly seconded and carried that the report be adopted.

"Mr. Speaker: We, your committee on Appropriations having had under consideration House Bill No. 18, A Bill for an Act entitled: "An Act to appropriate money for the payment of certain claims arising from the operation of certain state departments since July 1st, 1925;" respectfully report as follows: That House Bill No. 18 do pass.

REED, Chairman."

Moved by Reed, duly seconded and carried that the report be adopted.

"Mr. Speaker: We, your committee on Appropriations, having had under consideration House Bill No. 19, a Bill for an Act entitled: 'An Act to appropriate money for the refund of overpayment of certain taxes, fees and other collections'; respectfully report as follows: That House Bill No. 19 do pass.

REED, Chairman."

Moved by Reed, duly seconded and carried that the report be adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second times by title only, and referred to the following committees:

H. B. No. 20, By Burns: A Bill for an Act entitled: "An Act to amend Chapter Twenty, Session Laws of 1925 providing a monthly maintenance allowance for persons receiving vocational rehabilitation and training under the provisions of Section 3044 to 3051 Revised Codes of Montana of 1921 and defining the terms and conditions of such allowance." Judiciary Committee.

H. B. No. 21, by Ryder: A Bill for an Act entitled: "An Act to amend Section 1999 of the Revised Codes of Montana of 1921, relating to the classification of taxable property." Township and Counties Committee.

H. B. No. 22, by Cheadle: A Bill for an Act entitled: "An Act to amend Chapter 39 of the Acts of the Eighteenth Legislative Assembly of the State of Montana, Prescribing the penalty for unlawfully giving away, selling or disposing of intoxicating liquor to a minor." Public Morals, Charities and Reforms Committee.

H. B. No. 23, By Troy: A Bill for An Act entitled: "An Act relating to the sale of cigarettes and cigarette papers and wrappers used and prepared for the making of cigarettes." Ways and Means Committee.

H. B. No. 24, By Troy: A Bill for an Act entitled: "An Act to amend Section 5227 of the Revised Codes of Montana of 1921 relating to the manner of creating special improvement districts in cities and towns." Affairs of Cities Committee.

MOTIONS AND RESOLUTIONS

Mr. Leavens: Inasmuch as the Senate has motioned to adjourn from Thursday next, the twentieth, until the following Monday, to attend the Wool Growers' National Convention in Butte, and as it is an event of great importance to the livestock interests of this state; there are two members of national fame who will address this convention, namely, Secretary Jardine of the United States Department of Agriculture, and R. C. Pollack of the National Livestock and Meat Board. The invitation extended the members of the House, is as follows: "You are cordially invited to attend the Sixty-second Annual Convention of the National Wool Growers' Association to be held at Butte, Montana, January 20th, 21st, and 22nd.

C. H. WILLIAMS, President."

I wish to make a motion that when the House adjourns on next Thursday, the 20th, that they adjourn until the following Monday at 11:00 A. M. Said motion was duly seconded by Murphy and carried.

Mr. Speaker announced the appointment of the following committee: Privileges and Elections—Harris, Meagher, Chairman; Jones, Cascade, Vice Chairman; Sample, Dawson; Warren, Big Horn; Reed, Broadwater; Nelson, Phillips; Cavanaugh, Silver Bow; Tinsley, Madison; Hardecastle, Silver Bow; Westlake, Gallatin; Rognlien, Flathead.

Mr. Speaker stated that through error the names of Benjamin and Plank had been omitted from Committee on Petroleum, Oil and Gas Affairs, and that these two names have been added to this committee.

Mr. Speaker announced that by mutual consent the chairman of Agriculture Committee and chairman of Dairying Committee will be transferred; Donaldson of Chouteau will be chairman of Dairying and Johnson of Valley will be chairman of Agriculture.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Governor's office:

Moved by Besancon, duly seconded and carried that the communication from the Governor be considered read at length and the Journal so show.

"January 10, 1927.

Hon. G. T. Davis, Speaker of the House, Helena, Montana.

My dear Mr. Speaker: I am sending herewith a copy of a letter received by Mr. A. W. Miles of Livingston from Mr. Chas. P. Craig, Executive Director of the Great Lakes-St. Lawrence Tidewater Association, in which it is hoped that the Montana Legislature may make a date for former Governor Harding about the seventeenth of January. The letter is sent for such consideration as you may think advisable.

Yours very truly,

J. E. ERICKSON, Governor."

"Washington, D. C., January 3, 1927.

Mr. A. W. Miles, Livingston, Mont.

My dear Mr. Miles: Governor Harding will be at Bismark, North Dakota, addressing a Joint Session of the Legislature about the 14th or 15th of January.

I am wondering if your Legislature is in session and whether he might not to advantage address them immediately following his Bismark engagement—say January 17th. He must be back in St. Paul for the 19th to address the Farm Bureau Federation.

I want very much to have Montana make a small appropriation and appoint a Commission. It is not so much for the financial support as the moral support which will follow the appropriation, however, small. If they made it \$3,000 or \$4,000—or as low as \$2,000.

I know you have always favored this and if you now feel the same way about it, please wire me so that Gov. Harding can arrange his time ac-

cordingly. This is more or less tentative at this time but we are trying to arrange his schedule.

Very sincerely,

CHAS. P. CRAIG, Executive Director."

COMMUNICATIONS FROM THE SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, Jan. 10, 1926.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day read first and second time and referred to the Standing Committees:

Senate Bill No. 2, by Mears; "An Act to amend Section 8912 and 8813, Revised Codes, Montana, 1921, defining Judicial Districts within the State of Montana and designating the number of judges thereof, and abolishing the Twelfth Judicial District as now constituted, attaching Chouteau County to the Eighth Judicial District, and renumbering all districts from and subsequent to the Twelfth District to conform to the reduction herein made; and designating the number of judges for said districts." Committee on Judicial Districts.

Senate Bill No. 3, by Church: "An Act to amend Chapter 188 of the Laws of 1925 relating to the licensing of dealers in oleomargarine or other substitutes, dairy products and fixing the fees for the same and providing penalties for the violation of the Act." Committee on Dairies and Dairying.

Respectfully,

J. F. CONE, Secretary of the Senate.

Helena, Montana, Jan. 10, 1926.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day given:

By Greenup: "An Act to repeal Section 11039 of the Revised Codes of Montana of 1921 relating to keeping open places of amusement on Sunday."

By Porter: "An Act to amend Section 8813 of the Revised Codes of Montana of 1921 relating to the number of Judges in each Judicial District of the State of Montana."

By Cowan: "An Act to prevent the stealing of meat cattle by controlling the slaughter of the same, by controlling the sale of the products thereof, providing a system of inspection and tagging of the hides and meat of such cattle, providing a penalty for the violation of the provisions of the act, and repealing Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 of Chapter 75 of the laws of Montana of the 1923 Session."

By Cowan: "An Act to amend Session 632 of the Revised Codes of the State of Montana of 1921, as amended by the Chapter 118 of the Session Laws of the Nineteenth Legislative Assembly, and adding thereto a section to be designated as "Section 632-B" all relating to the primary election laws."

By Garber: "A Joint Resolution for the appointment of a Special Committee of three members of the Senate; to be selected by the Committee on Committees; and a like number from the House be appointed by the Speaker; to investigate and report to their respective bodies; if any department, or any officer or employee thereof holding a permanent position in state government can in their judgment be eliminated without impairing the efficiency of government in the State of Montana. Defining the duties and powers of said committee."

By Church: "An Act to amend Section 12464 of the Revised Codes of Montana of 1921 relating to the expense of sheriffs in delivering prisoners

to the State Prison and providing that such expense shall be a charge against the County."

By Church: "An Act to amend Section 12427 of the Revised Codes of Montana of 1921 relating to the accounts of the person selected by the Governor to return a fugitive from justice, and providing that the same shall be a charge against the county making application to the Governor."

By Eaton: "An Act amending Section 852 of the Revised Codes of Montana, 1921, and making the Eastern Montana State Normal School at Billings part of the University of Montana, and amending Section 854 of the Revised Codes of Montana, 1921, and authorizing the State Board of Education to grant diplomas and confer degrees on the graduates of the Eastern Montana State Normal School at Billings."

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of White, there being no objections, the House reverted to order of Business No. 2.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce bills as follows:

By White and Fulsher: A Bill for an Act entitled: "An Act authorizing O. G. Willett to file with the State Board of Examiners as a deficiency claims against the State of Montana for payment to him of moneys expended by him for the maintenance of the lepersorium created by Mineral County, Montana, and for supplies and equipment used therein by reason of the quarantine regulation enforced by the State Board of Health of the State of Montana wherein said O. G. Willett is now held in quarantine in Mineral County, Montana, and authorizing said State Board of Examiners to hear, audit, and determine the said claim of O. G. Willett and make an appropriation to pay any such claim of said O. G. Willett which the said State Board of Examiners may approve and determine."

Moved by Bricker, duly seconded and carried that the House adjourn until 10:30 A. M., January 12.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

TENTH DAY

House of Representatives,

Helena, Montana, January 12, 1927.

House resumed pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Invocation by Chaplain.

On roll call all present except: Hardcastle, absent; Kelly, excused on account of illness; Westlake, excused on account of illness.

The Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the ninth legislative day find the same to be correct.

G. W. DARLINTON, Chairman."

Moved by Darlington, duly seconded and carried, that report be adopted.

The Chief Clerk read the following announcement:

The Annual Charity Ball for the benefit of St. Peter's Hospital, is to be given in the Shrine Temple, Friday Evening, Jan. 14th. A cordial invitation is extended to the members of the Legislature. Tickets are on sale in the office of the Sergeant-at-Arms of the Senate and the Placer Hotel.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Burns: A Bill for an Act entitled: "An Act to amend Section 9442 of the Revised Codes of the State of Montana of 1921 relating to the redemption of real property from execution sales and providing who may be redemptioners thereof."

By Miller: A Bill for an Act entitled: "An Act requiring annual statements to be made showing the financial condition of cities and towns."

By Knight, Murphy and Burke: A Bill for an Act entitled: "An Act to amend Section 1520 of the Revised Codes of Montana, 1921, relating to admission of patients to the Montana State Tuberculosis Sanitarium and repealing all Acts and parts of Acts in conflict therewith."

By Woodcock and Troy: A Bill for an Act entitled: "An Act relating to the giving of notice on application for tax deed by counties, requiring counties to take tax deeds providing for a penalty for failure upon the part of the County Commissioners to act and legalizing and validating tax deeds heretofore issued, and amending Section 2214 of the Revised Codes of Montana, 1921, relating thereto."

By Leavitt: A Bill for an Act entitled: "An Act to amend Section 9256 and Section 9257 of the Revised Codes of Montana, 1921 relating to the provisional remedy of attachment in civil cases, when an attachment may issue, and contents of the affidavit therefor."

By McLeod: A Bill for an Act entitled: "An Act to appropriate money from the Industrial Accident Fund of the State of Montana, for payment of compensation on the claim of Harry M. Courter, which claim was disallowed by the Industrial Accident Board, because it was not presented within six months following the date of injury."

By Rognlien: A Bill for an Act entitled: "An Act providing for jury commissioners to be appointed in each county by the Judge of the District Court, prescribing their duties, fixing their compensation and repealing Sections 8896, 8897, and 8898 of the Revised Codes of Montana 1921."

REPORTS OF STANDING COMMITTEES

The following report of standing committees was received:

"Mr. Speaker: We, the Committee on Public Health and Sanitation, having had under consideration House Bill No. 17, introduced by Fulsher: A Bill for an Act entitled: "An Act to amend Section 1441 of the Revised Codes of Montana of 1921, relating to the fees of physicians attending the examination of insane persons," respectfully report that House Bill No. 17 do pass.

KROMAN, Chairman."

Moved by Kroman, duly seconded and carried, that the report be adopted.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only (except H. B. No. 30, which was read first time by title only and second time read at length), and referred to committees as follows:

H. B. No. 25, By Holton: A Bill for an Act entitled: "An Act to amend Sections 1211 and 1212 of the Revised Codes of Montana 1921, as amended by Chapter 104 of the Session Laws of 1923, providing for the apportionment and distribution of oil and gas royalties received from the United States." Referred to Revenue and Taxation Committee.

H. B. No. 26, by Burns, Gustafson and Nelstead: A Bill for an Act entitled: "An Act to amend Section 1704 of the Revised Codes of Montana of 1921 providing for the levy and collection by the Board of County Commissioners of a special tax for the purpose of constructing, maintaining

and repairing free public bridges." Referred to Township and Counties Committee.

H. B. No. 27, by Rockwood: A Bill for an Act entitled: "An Act to amend Section 3714 of the Revised Codes of Montana 1921 as amended by Section 25 of Chapter 192 of the Laws of the Nineteenth Legislative Assembly regulating the taking and catching of fish, use of seines, licenses to use nets and providing penalties therefor." Referred to Fish and Game Committee.

H. B. No. 28, by Rognlien: A Bill for an Act entitled: "An Act to amend Section 639 of the Revised Codes of Montana 1921, relating to the primary election, by providing that to entitle a political party to nominate candidates for public office under the provisions of this law, such political party must have cast three percentum (3%) or more of the total votes cast for Governor at the next preceding general election and providing a method of making nominations by said political party when the required number of votes were not cast." Referred to Privileges and Elections Committee.

H. B. No. 29, by Mulholland: A Bill for an Act entitled: "An Act fixing the rate of interest on time deposits, providing for the setting aside of a part of the interest paid on such deposits to build up a fund for the protection of the depositors, and prescribing penalties." Referred to Banks and Banking Committee.

H. B. No. 30, by White and Fulsher: A Bill for an Act entitled: "An Act authorizing O. G. Willet to file with the State Board of Examiners as a deficiency claim against the State of Montana for payment to him of moneys expended by him for the maintenance of the lepersorium created by Mineral County, Montana, and for supplies and equipment used therein by reason of the quarantine regulation enforced by the State Board of Health of the State of Montana wherein said O. G. Willet is now held in quarantine in Mineral County, Montana, and authorizing said State Board of Examiners to hear, audit and determine the said claim of O. G. Willet and make an appropriation to pay any such claim of said O. G. Willet which the said State Board of Examiners may approve and allow." Referred to Appropriations Committee.

H. B. No. 31, by Donaldson: A Bill for an Act entitled: "An Act to amend Section 10178 of the Revised Codes of Montana, as amended by Section 1 of Chapter 11 of the Session Laws of the Nineteenth Legislative Assembly of 1925, relating to the time within which actions must be commenced on claims against an estate rejected by the executor, administrator or Judge of the Probate Court." Referred to Judiciary Committee.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that instruments recorded as House Resolutions Numbers 2 and 3 by the Bill Clerk be stricken from the records of the Bill Clerk and that they be entered by the Bill Clerk as Miscellaneous Communications.

The following resolution was read at length:

WHEREAS, The request of House Bills are numerous; and,

WHEREAS, Rule 36 of the Rules of the Nineteenth Legislative Assembly provide only for the filing of five hundred copies;

THEREFORE, Be It Resolved, That the Sergeant-at-Arms be instructed to mail copies of House Bills to each County Clerk of the State, to each newspaper of the State and to each Secretary of an actively working chamber of commerce, it being understood that this resolution does not deny any house member the right to mail copies of bills to any constituent who might possibly be interested in such bill or bills.

BRICKER.

Moved by Bricker, duly seconded and carried, that the resolution be adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Helena, Montana, January 11, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the communication from his Excellency, the Governor, enclosing a letter as follows, from Mr. Chas. P. Craig, Executive Director of the Great Lakes-St. Lawrence Tidewater Association, to Mr. A. W. Miles, of Livingston, Montana, was this day read in the Senate:

Washington, D. C., Jan. 3, 1927.

My Dear Mr. Miles: Governor Harding will be at Bismarck, N. Dakota, addressing a Joint Session of the Legislature about the 14th or 15th of January.

I am wondering if your Legislature is in session and whether he might not to advantage address them immediately following his Bismarck engagement—say January 17th. He must be back in St. Paul for the 19th to address the Farm Bureau Federation.

I want very much to have Montana make a small appropriation and appoint a commission. It is not so much for the financial support as the moral support which will follow the appropriation, however, small. If they made it \$3,000 or \$4,000—or as low as \$2,000.

I know you have always favored this and if you now feel the same way about it, please wire me so that Gov. Harding can arrange his time accordingly. This is more or less tentative at this time, but we are trying to arrange his schedule."

Very sincerely,

CHAS. P. CRAIG, Executive Director."

On motion of Senator Cowan, the President appointed Senators Cowan, Gilboe, and Walker as a Committee from the Senate to act with a like Committee from the House to consider and make recommendations concerning the matter presented in the communication from the Governor, inviting former Governor Harding to address a Joint Assembly.

Motion duly seconded and carried.

Respectfully,

J. F. CONE, Secretary of the Senate.

Helena, Montana, January 11, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day given:

By Ruffcorn: "An Act to amend Section 1, Chapter 111, Session Laws 1925 relating to interest of State Warrants."

By Gilboe: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 4 of Article XVI of the Constitution, relating to County Commissioners."

By Delaney: "A Resolution concerning the printing of bills."

By Porter: "An Act to amend Section 567 of the Revised Codes of Montana of 1921, relating to the printing and posting of lists of registered voters for any election."

By Survant: "An Act to repeal the provisions of Section 2153, Revised Codes, Montana, 1921, and to substitute therefor a provision restricting the lien of taxes on personal property to said personal property."

Respectfully,

J. F. CONE, Secretary of the Senate.

Helena, January 11, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second times and referred to the Standing Committees:

S. B. No. 4, by Cowan: "An Act to amend Section 632 of the Revised Codes of the State of Montana of 1921. As amended by the Chapter 118

of the Session Laws of the Nineteenth Legislative Assembly, and adding thereto a Section to be designated as Section 632-B, all relating to the Primary Election Laws." Election and Privileges Committee.

S. B. No. 5, Cowan: "An Act to prevent the stealing of meat cattle by Controlling the slaughter of the same, by controlling the sale of the products thereof, providing a system of inspection and tagging of the hides and meat of such cattle, providing a penalty for the violation of the provisions of the Act, and repealing Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 of Chapter 75 of the Laws of Montana of the 1923 Session." Stock Growing and Grazing Committee.

S. J. Resolution No. 1, by Garber: Relating to the appointing of a Special Committee of three members of the Senate by the Committee on Committees and a like number from the House by the Speaker to investigate and report to their respective bodies regarding any department or any officer or employee thereof, holding a position which in their judgment can be eliminated without impairing the efficiency of government in the State of Montana."

Respectfully,

J. F. CONE, Secretary of the Senate.

Moved by Bricker, duly seconded and carried that the communication from the Senate be considered read at length and the Journal so show.

Moved By Bricker, duly seconded and carried that the House adjourn until 10:30 A. M., January 13th.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

ELEVENTH DAY

House of Representatives,
Helena, Montana, January 13, 1927.

House resumed pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Invocation by Chaplain.

On roll call all members present except: Hardcastle, on motion of Bricker excused until Monday on account of sickness; Kelly, excused on account of sickness; Larson, excused on account of sickness; Westlake excused on account of sickness.

The Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the tenth legislative day find the same to be correct.

G. W. DARLINTON, Chairman.

On motion of Darlinton, report adopted.

COMMUNICATIONS AND PETITIONS

The Chief Clerk read the following communication:

January 12th, 1927.

Mr. President: You are hereby requested to announce that all merchants in your Honorable Body are cordially invited to attend the Annual Meeting of the Helena Retail Merchants Exchange to be held at the Eddy Cafe on Wednesday, Jan. 19, 1927, at 6:30 P. M., at which time dinner will be served.

(Signed): A. I. REEVES, President.

C. A. STREEDBACK, Secretary.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Cheadle: A Bill for an Act entitled: "An Act to amend Section 235 of the Revised Codes of Montana of 1921 relating to the sale of real estate acquired by a county by sale for delinquent taxes and providing for a method therefor and terms thereof and for the disposition of the money derived therefrom."

By Cheadle: A Bill for an Act entitled: "An Act to amend Section 65, Subdivision 10 of the Revised Codes of Montana, 1921, relating to the general and permanent powers of Boards of County Commissioners concerning the sale of real and personal property belonging to a county, and providing for the terms thereof, the method therefor, and for the disposition of the money derived therefrom; and to amend the said Section by adding hereto Subdivision 28 relating to the compromise of claims in favor of or against a county."

By Bricker: A Bill for an Act entitled: "An Act forbidding any company or agency manufacturing or assembling or selling or disposing of any model or type of gas, gasoline, kerosene, distillate, or other liquid fuel motor engine or combine from doing business within the State of Montana, except after the test of such models or types and the lawful certification thereof as in this Act provided; providing for the report of tests, the deposit of replacement and repair parts within this State, the administration of this Act by the Montana State College of Agriculture and Mechanical Arts and the Board of Railroad Commissioners of the State of Montana, and providing penalties for the enforcement of this Act."

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

Mr. Speaker: We, your Committee on Privileges and Elections having had under consideration, House Bill No. 28, introduced by Rognlien, respectfully report as follows: That said House Bill No. 28, do pass.

HARRIS, Chairman.

On motion of Harris, report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 22, introduced by Cheadle, respectfully report as follows: That House Bill No. 22, do pass.

WILLARD, Chairman.

On motion of Willard, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration, House Bill No. 21, introduced by Ryder, respectfully report as follows: That said House Bill No. 21 be referred to the Judiciary Committee for the reason that it appears to this committee that the provisions of said bill are in conflict with a recent decision of the Supreme Court found in Montana Reports Number 68 at page 420 in the case of the Northern Pacific Railway vs. Duncan.

DONALDSON, Chairman.

On motion of Donaldson, report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 20, introduced by Burns, respectfully report as follows: That said House Bill No. 20 do pass.

BURNS, Chairman.

On motion of Burns, report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 13, introduced by Budas, respectfully report as follows: That said House Bill No. 13 do not pass.

JOHNSON, Chairman.

On motion of Johnson, report adopted.

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having under consideration Resolution by Reed and others relative to amendments to rules concerning printing of bills, respectfully report as follows: That said Resolution be not adopted.

MOSS, Chairman.

On motion of Moss, report adopted.

Mr. Speaker: Your Committee on Printing respectfully report House Bills No. 17, 18 and 19 as correctly printed.

COONEY, Chairman.

On motion of Cooney, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times and referred to the following committees:

H. B. No. 32, by Burns: A Bill for an Act entitled: "An Act to amend Section 9442 of the Revised Codes of the State of Montana of 1921 relating to the redemption of real property from execution sales and providing who may be redemptioners thereof." Referred to Judiciary Committee.

H. B. No. 33, by Miller of Fergus: A Bill for an Act entitled: "An Act requiring annual statements to be made showing the financial condition of cities and towns." Referred to Affairs of Cities Committee.

H. B. No. 34, by McLeod: A Bill for an Act entitled: "An Act to appropriate money from the Industrial Accident Fund of the State of Montana for payment of compensation on the claim of Harry M. Courter, which claim was disallowed by the Industrial Accident Board, because it was not presented within six months following the date of injury." Read first time by title and second time at length and referred to Appropriations Committee.

H. B. No. 35, by Knight, Murphy and Burke: A Bill for an Act entitled: "An Act to amend Section 1520 of the Revised Codes of Montana of 1921, relating to admission of patients to the Montana State Tuberculosis Sanitarium and repealing all Acts and parts of Acts in conflict herewith." Referred to Public Health and Sanitary Affairs Committee.

H. B. No. 36, by Woodcock and Troy: A Bill for an Act entitled: "An Act relating to the giving of notice on application for tax deed by counties, requiring counties to take tax deeds providing for a penalty for failure upon the part of the County Commissioners to act and legalizing and validating tax deeds heretofore issued, and amending Section 2214 of the Revised Codes of Montana, 1921, relative thereto." Referred to Revenue and Taxation Committee.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that a committee of three be appointed from the House to cooperate with the Senate Committee, in the investigation concerning the errors in the bills passed by the Nineteenth Legislative Assembly.

Mr. Speaker appointed the following members of the House to serve upon the Joint Committee of the House and Senate to investigate concerning the errors in the bills passed by the Nineteenth Legislative Assembly: Moss, Flathead; Miller, Fergus; Lowry, Fallon.

Mr. Speaker announced the appointment of the following additional members to the New Counties and Divisions Committee: Woodcock, Chouteau; Merritt, Musselshell.

CONSIDERATION OF MESSAGES FROM THE SENATE

Helena, January 12, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion was this day introduced, duly seconded and adopted:

'WHEREAS, it has come to the attention of the members of the Senate that House Bill No. 23 of the 19th Legislative Assembly passed both Houses containing a provision that State Warrants should bear interest at the rate of 4% per annum, and

WHEREAS, the Journal of both Houses shows that both Houses passed his measure, containing a clause providing that State Warrants should bear interest at the rate of 4% per annum, and

WHEREAS, the Bill as signed by the Governor, contains a provision that State Warrants shall bear interest at the rate of 4½% per annum,

I, therefore move that the Senate appoint a Committee of three to act with a like committee of the House to make an investigation to determine where this bill was changed and where to place the responsibility for the change in this bill, and to report the findings to the Senate as soon as possible."

(Signed): GRIFFIN of Blaine.'

Thereupon, the President of the Senate appointed the following Senators: Swift, Dowlin and Bergstrom as the committee to act with a like committee from the House to make the investigation required by the foregoing motion.

Respectfully,

J. F. CONE, Secretary of the Senate.

Helena, January 12, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that Senator Kane rose to a question of personal privilege and stated in connection with the motion submitted by Senator Griffin this morning that H. B. No. 457, passed by the Nineteenth Legislative Assembly relative to registrar of motor vehicles had contained a clause relative to the allowing of a sum of \$4,000 for certain work in connection with the registration of motor vehicles and that this clause did not appear in the session laws.

It was moved by Senator Paul, duly seconded and carried, that the committee appointed this morning with reference to investigation of error in H. B. No. 23 should also investigate error in H. B. No. 457, referred to by Senator Kane.

It was moved by Senator Ruffcorn, duly seconded and carried, that his committee also investigate a discrepancy in H. B. No. 93, in which the time fixing the date of primary election had been changed, the date in the session laws being different from that in the bill as passed by the nineteenth legislative assembly.

Senator Ruffcorn further suggested that the committee making these investigations request a member of the Attorney General's staff to assist them in their work.

Respectfully,

J. F. CONE, Secretary of the Senate.

Helena, January 12, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following bills were this day introduced, read first and second times and referred to the Standing Committees:

S. B. No. 6, by Ruffcorn: "An Act to amend Section 180 of the Revised Codes of Montana of 1921, as amended by Chapter 111, Acts of the Nineteenth Legislative Assembly, relating to the interest on state warrants." Finance and Claims Committee.

S. B. No. 7, by Porter: "An Act to amend Section 8813 of the Revised Codes of Montana of 1921 relating to the number of judges in each judicial district of the State of Montana." Judicial Districts.

S. B. No. 8, by Porter: "An Act to amend Section 567 of the Revised Codes of Montana of 1921 relating to the printing and posting of lists of registered voters for any election." Privileges and Elections.

S. B. No. 9 by McCone: "An Act relating to tax deeds, tax deeds as evidence, time for actions to annul tax deeds, validity of certificates of tax sale heretofore issued, and refund of taxes illegally collected or included in amount of tax sale, and amending Sections 2222 and 2214 of the Revised Codes of Montana of 1921, relating to refund of taxes, penalties interest and costs illegally collected, tax deeds as evidence, and action to annul." Taxation Committee.

S. B. No. 10, by Church: "A Bill for an Act to amend Section 1242 of the Revised Codes of Montana of 1921 relating to the accounts of the person selected by the Governor to return a fugitive from justice, and providing that the same shall be a charge against the county making application to the Governor." Judiciary Committee.

S. B. No. 11, by Church: "An Act to amend Section 12464 of the Revised Codes of Montana of 1921 relating to the expenses of sheriffs in delivering prisoners to the State Prison and providing that such expense shall be a charge against the county." Judiciary Committee.

Respectfully,

J. F. CONE, Secretary of the Senate.

Helena, Montana, Jan. 12, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day given:

By Ruffcorn: "An Act to amend Section 2238 Revised Codes of Montana, as amended by Chapter 102 Session Laws of 1923, relating to the collection of personal property taxes."

By Joffray: "An Act to amend Section 1760 of the Revised Codes of Montana of 1921 as amended by Chapter 107 of the Laws of the Eighteenth Legislative Assembly relating to the registration fees for motor vehicles and the disposition thereof, and repealing all Acts and parts of Acts in conflict herewith."

By Henderson: "An Act to amend Subdivision (C) of Section Chapter 154, Laws 1923, relating to the supervision and regulation of transportation by motor vehicles to exclude from the term "Transportation Company" as therein defined and from regulation pursuant to said Act all private carriers, school busses, funeral vehicles, vehicles operated exclusively in transporting agricultural, horticultural or dairy or other farm products from the point of production to the market and star route operators or contractors not competing with common carriers by rail."

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of Reed, there being no objections the House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced without notice, read first time in title only and second time at length, and referred to the Appropriations Committee:

House Bill No. 37, by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of certain of the State Departments of the State of Montana, for the period beginning July 1st, 1927, and ending June 30th, 1929."

Moved by Bricker, duly seconded and carried that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

COMMUNICATIONS AND PETITIONS

The following communication was read:

"The ladies of the Episcopal Church invite all members and employees of the Legislature to the Annual Charity Ball given tomorrow evening at the Shrine Temple."

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Jameson: A Bill for an Act entitled: "An Act authorizing the Judge of a district court to purchase supplies when necessary for such court, and providing the manner and method of payment therefor."

By Cavanaugh: A Bill for an Act entitled: "An Act to provide additional compensation for the State Auditor in recognition of the additional duties required of said State Auditor as commissioner of insurance, ex-officio."

REPORTS OF STANDING COMMITTEES

The following reports of Standing Committees were received and read:

"Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 26, introduced by Burns, Gustafson and Nelstead, A Bill for an Act entitled: "An Act to amend Section 104 of the Revised Codes of Montana of 1921 providing for the levy and collection by the Board of County Commissioners of a special tax for the purpose of constructing, maintaining and repairing free public bridges," respectfully report as follows: That House Bill No. 26 do pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

January 12, 1927.

"Mr. Speaker: We, your Committee on Employment, wish to submit the following report, to-wit: That we have on this day recommended that Thomas Mooney be appointed as substitute for James MacMurdo, day clerk, and that Miss Minnie Milligan be appointed as substitute for Miss Catherine Cameron, stenographer.

RYDER, Chairman."

On motion of Ryder, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND
READING OF SAME

The following bills were introduced, read first and second times and referred to the following committees:

H. B. No. 38, by Leavitt: A Bill for an Act entitled: "An Act to amend Section 9256 and Section 9257 of the Revised Codes of Montana, 1911, relating to the provisional remedy of attachment in civil cases, when attachment may issue, and contents of the affidavit therefor." Referred to Judiciary Committee.

H. B. No. 39, by Jameson: A Bill for an Act entitled: "An Act authorizing the filing of notices of liens for taxes payable to the United States of America and certificates discharging such liens and to make uniform the law relating thereto." Referred to Federal Relations Committee.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried that the Speaker appoint a committee of three to act with a like committee from the Senate to confer and make recommendations concerning the matter presented in the communication from the Governor inviting Governor Harding to address the next Assembly.

Moved by Bricker, duly seconded and carried that the Speaker appoint a committee of three to prepare resolutions covering the death of John W. Walton, former member of the House from Gallatin County, and Harry Schoening, former member of the House from Roosevelt County.

Whereupon the Speaker appointed as members of the latter committee Cheadle, Fergus, chairman; Jameson, Yellowstone; Lamb, Silver Bow.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried that communications from the Senate be considered read at length and the Journal so show.

January 13, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims this day reported as follows:

That, having under consideration Senate Bill No. 6, same be amended in line 16 by striking out the word "April" and inserting in lieu thereof the word "March," and that said Bill be further amended by striking out the following: "Provided, however, that all warrants so registered and endorsed prior to the date when this Act takes effect, and outstanding and not called for payment prior to such date, shall bear interest at the rate of four and one-half per cent per annum from date of registration until called for payment, after the date of which call interest thereon shall cease." And that the semicolon after the word "code," in line 20, be stricken out and a period inserted in lieu thereof and that as so amended the bill do pass.

Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Helena, Montana, January 13, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day given:

By Donovan and McCabe: "An Act to amend Sections 9256 and 9257 of the Revised Codes of Montana of 1921 relating to attachments."

By Donovan and McCabe: "An Act to amend Section 8168 of the Revised Codes of Montana of 1921 relating to the liability of indemnitor and suits against indemnitors."

By Walker: "An Act to amend Section 10482, Revised Codes of Montana, 1921, relating to a Mother's Pension and prescribing the condition to which the allowance to the mother for the support of her dependent child or children is subject."

By Walker: "An Act to amend Section 10434, Revised Codes of Montana, 1921, relating to the manner of giving notice of hearing of petition for sale of real estate or of real and personal estate of a ward and providing that if written consent to making the order of sale is given by all persons interested in the estate of the ward and by his next of kin notice need not be served or published and such hearing may take place at any time."

By Wuerthner, Gilboe and Porter: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 4 of Article XVI of the Constitution of Montana, relating to County Commissioners; providing for the division of counties into Commissioner Districts; providing for the election of one commissioner from each of said Commissioner Districts."

Respectfully,

J. F. CONE, Secretary of the Senate.

Helena, Montana, January 13, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second times and referred to the Standing Committees:

S. B. No. 12, by Ruffcorn: "An Act to amend Section 2238 Revised Codes of Montana, 1921, as amended by Chapter 102 Session Laws 1923, relating to the collection of personal property taxes." Taxation Committee.

S. B. No. 13, by Eaton: "An Act amending Section 852 of the Revised Codes of Montana, 1921, and making the Eastern Montana State Normal School at Billings part of the University of Montana; and amending Section 854 of the Revised Codes of Montana, 1921, and authorizing the State Board of Education to grant diplomas and to confer degrees on the graduates of the Eastern Montana State Normal School at Billings." Education Committee.

S. B. No. 14, by Joffray: "An Act to amend Section 1760 of the Revised Codes of Montana of 1921 as amended by Chapter 107 of the Laws of the Eighteenth Legislative Assembly relating to the registration fees for motor vehicles and the disposition thereof, and repealing all Acts and parts of Acts in conflict herewith." Judiciary Committee.

Respectfully,

J. F. CONE, Secretary of the Senate.

Moved by Bricker, duly seconded and carried that the House adjourn until 10:30 A. M., Friday, January 14th.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

TWELFTH DAY

House of Representatives.
Helena, Montana, January 14, 1927.

House met pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all present except: Hardcastle, excused on account of illness; Kelly, excused on account of illness; Larson, excused on account of illness; Plumer, absent; Westlake, excused on account of illness.

Mr. Speaker excused Akofer, Murphy and Doran for Monday, January 17th.

Journal Committee reported as follows:

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the eleventh legislative day find the same to be correct.

G. W. DARLINTON, Chairman.

Mr. Speaker announced the appointment of House members on the Joint Committee to make arrangements for Governor Harding's address, as follows: Nelstead, Carter, chairman; Nelson, Phillips; Tinsley, Madison.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Rognlien: A Bill for an Act entitled: "An Act to amend Section 425 and 4526 of the Revised Codes of Montana of 1921 by providing that the contract for the care of the county poor may be let for a period of from one to five years."

By Lillis, Logan and Leavens: A Bill for an Act entitled: "An Act designating the map issued by the Board of Railroad Commissioners of the

State of Montana as the official map of Montana, providing for the preservation of the State's investment in the stone thereof, providing for the issuance of a 1927 edition of said map, and extending authority to the Board of Railroad Commissioners to make a charge for said map to defray the expenses of said edition and making an appropriation therefor to carry out the purposes of this Act."

By Cavanaugh: A Bill for an Act entitled: "An Act to repeal Section 9429 of the R. C. M. 1921 relating to exemptions of earnings, debts incurred for necessities and exempting certain property of married women and to repeal all Acts and parts of Acts in conflict with the provisions of this Act."

By Hodgskiss: A Bill for an Act entitled: "An Act to amend Section 1270 of the Revised Codes of Montana for 1921, relating to officers of the Board of Trustees of County High Schools and the selection thereof."

By Green of Fergus: A Bill for an Act entitled: "An Act to repeal Section 3765 of the Revised Codes of Montana of 1921, relating to the creation of the "Snowy Mountain Game Preserve" and defining the boundaries thereof."

By Jones of Cascade: A Bill for an Act entitled: "An Act to amend Section 6003 of the Revised Codes of Montana of 1921, relating to the making and filing of annual statements of corporations."

By Moss: A Bill for an Act entitled: "An Act to provide a method of electing delegates to National conventions, Presidential electors and National committeemen of the several political parties and repealing all Acts and parts of Acts in conflict herewith."

By Shields: A Bill for an Act entitled: "An Act to establish the Northern Montana State Normal School; defining its objects; designating its location; providing for the control, supervision and management thereof; placing the institution under the control of the State Board of Education; amending Section 852 of the Revised Codes of Montana of 1921 so as to make said institution a part of the University of Montana; and providing for an appropriation for the establishment and maintenance of said school."

By Committee on Banks and Banking: A Bill for an Act entitled: "An Act revising and codifying the banking laws and providing for the incorporation and regulation of State Banks and Trust Investment Companies; providing for the regulation of private banks; the maintenance of a State Banking Department, and prescribing the qualifications, duties and compensation of the State Superintendent of Banks, and of the Deputies and employees of the Banking Department, and prescribing a method for the liquidation of State Banks, Trust and Investment Companies, and repealing certain sections of the laws of Montana, together with Acts amendatory thereof, and providing penalties for the violation of this Act."

By Abrahamson, Mulholland, Tierney, Burns, Dudley Jones, Nelson Johnson, Bretzke, Curran, Benson, Gustafson, Woodcock, Benjamin, Hodgskiss, Miller (Timothy), Afoker, Sparling, Bonine, Troy, Burke, Bricker, Dellwo, Lowry, Plank, Lamb, Hagerty, Cavanaugh, Goodwin, Donaldson and Ryder: A Bill for an Act entitled: "An Act amending Section 852 of the Revised Codes of Montana, 1921, defining the University of Montana; and amending Section 854 of the Revised Codes of Montana, 1921, authorizing the State Board of Education to grant diplomas and to confer degrees on the graduates of the several component institutions of the University of Montana."

REPORTS OF SELECT COMMITTEES

The following report was received from the committee appointed to prepare resolutions covering the deaths of John W. Walton and Harry Schoening, former members of the House of Representatives:

"Mr. Speaker: We, your committee appointed by the Speaker to draft suitable resolutions upon the death of the Honorable J. W. Walton, and the

Honorable Harry Schoening, former members of the House beg leave to report the following House Resolution.

CHEADLE.
JAMESON.
LAMB.

House Resolution, introduced by Cheadle, Jameson and Lamb:

WHEREAS, the Divine Providence in its infinite wisdom has seen fit to call from our midst the Honorable John W. Walton, and;

WHEREAS, the said John W. Walton was an esteemed and honored member of the House of Representatives of the Nineteenth Legislative Assembly of the State of Montana, as a member from Gallatin;

NOW THEREFORE BE IT RESOLVED, that the members of the House of Representatives of the Twentieth Legislative Assembly of the State of Montana, deploring the recent death of the said John W. Walton, and desiring to express in permanent form their appreciation of his valuable public services rendered to the State of Montana, adopt this resolution for preservation in the records of the House of Representatives.

BE IT FURTHER RESOLVED, that the House of Representatives of the Twentieth Legislative Assembly of the State of Montana, extend its sympathy to the wife and family of the deceased, and that an enrolled copy of this resolution be sent by the Chief Clerk of this Assembly to his widow and other members of his family.

On motion of Cheadle, resolution adopted.

House Resolution, introduced by Cheadle, Jameson and Lamb:

WHEREAS, the Divine Providence in its infinite wisdom has seen fit to call from our midst the Honorable Harry Schoening, and;

WHEREAS, the said Harry Schoening was an esteemed and honored member of the House of Representatives of the Nineteenth Legislative Assembly of the State of Montana, as a member from Roosevelt County;

NOW THEREFORE BE IT RESOLVED, that the members of the House of Representatives of the Twentieth Legislative Assembly of the State of Montana, deploring the recent death of the said Harry Schoening, and desiring to express in permanent form their appreciation of his valuable public services rendered to the State of Montana, adopt this resolution for preservation in the records of the House of Representatives.

BE IT FURTHER RESOLVED, that the House of Representatives of the Twentieth Legislative Assembly of the State of Montana, extend its sympathy to the wife and family of the deceased, and that an enrolled copy of this resolution be sent by the Chief Clerk of this assembly to his widow and other members of his family.

On motion of Cheadle, resolution adopted.

REPORTS OF STANDING COMMITTEES

The following reports of Standing Committees were received and read:

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 37, introduced by the Appropriations Committee, respectfully report as follows: That said House Bill No. 37, do pass as amended; that Section 3 shall read as follows:

'The provisions of this Act shall be deemed and held valid notwithstanding the provisions of the Budget Act.'

And that Section 4 be added to read as follows:

'This Act shall be in full force and effect from and after July 1st, 1927.'

REED, Chairman.

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 14, respectfully report as follows: That said House Bill No. 14 be amended by (1) inserting the words, "or private" in

Section 1, line 7 immediately following the word "public" and preceding the word, "funds." (2) By striking out Section VIII of said original bill and that as amended the bill do pass.

FLACHSENHAR, Chairman.

On motion of Flachsenhar, report adopted.

"Mr. Speaker: Your Committee on Printing respectfully reports House Bill No. 22 as correctly printed."

COONEY, Chairman.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times and referred to standing committees:

H. B. No. 40, by Rognlien: A Bill for an Act entitled: "An Act providing for Jury Commissioners to be appointed in each County by the Judge of the District Court, prescribing their duties, fixing their compensation and repealing Sections 8896, 8897, and 8898 of the Revised Codes of Montana, 1921." Referred to Ways and Means Committee.

H. B. No. 41, by Cavanaugh: A Bill for an Act entitled: "An Act to provide additional compensation for the State Auditor in recognition of the additional duties required of said State Auditor as Commissioner of Insurance, ex-officio." Referred to State Boards and Officers Committee.

H. B. No. 42, by Bricker: A Bill for an Act entitled: "An Act forbidding any company or agency manufacturing or assembling or selling or disposing of any model of type of gas, gasoline, kerosene, distillate, or other liquid fuel tractor engine, or combine from doing business within the State of Montana, except after the test of such models or types and the lawful certification thereof as in this Act provided; providing for the report of tests, the deposit of repair and replacement parts at suitable points within this State, the administration of this Act by the Montana State College of Agriculture and Mechanic Arts and the Board of Railroad Commissioners of the State of Montana, and providing penalties for the enforcement of this Act." Referred to Agriculture Committee.

MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that Rule 33 of the House Rule be amended by inserting the word "printed" after the word "the" and before the word "Bill" in next to the last sentence of said rule.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for Consideration of General Orders.

Mr. Moss in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

The Committee of the Whole submitted the following report:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 17, House Bill No. 18 and House Bill No. 19, respectfully report as follows: That said House Bill No. 17 be re-referred to Committee on Public Health and Sanitary Affairs.

That House Bill No. 18 do pass.

That House Bill No. 19 do pass.

MOSS, Chairman."

Moved by Moss, duly seconded and carried, that the report be adopted.

Moved by Bricker, duly seconded and carried, that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Abrahamson: A Bill for an Act entitled: "An Act relating to the testing of scales; authorizing the employment of a state scale expert and deputies, defining their powers and duties; authorizing the furnishing of railroad transportation to said state scale expert while engaged in testing railroad scales; creating a contingent revolving fund to defray the expenses of the state scale expert and his deputies; providing penalties for the use of weighing devices, which have not been tested as required by this Act and for making false tests and for other violations of the provisions of this Act, and repealing Section 3575 of the Revised Codes of Montana of 1921, and all Acts and parts of Acts in conflict herewith."

By Mason: A Bill for an Act entitled: "An Act providing for the disposition of the proceeds of sales of property owned by county, said property having been acquired by the county by tax deed."

By Troy, Bonine, Abrahamson, Fulsher, Tierney, Dunn and Prescott: A Bill for an Act entitled: "An Act requiring the registration of barbers and barber apprentices, defining the practice of barbering, and prescribing conditions under which apprentices may be employed, providing that certain classes of persons are exempt from the operation of this law, including beauty shops, beauty schools and beauty culturists; prescribing the qualifications for certificate of registration for a barber and barber apprentice, and establishing the standard of barber schools, providing for examinations to obtain a barber's and apprentice's certificate of registration, and the issuance of certificates therefor; providing for the issuance of certificates to barbers and barber apprentices to persons engaged in said occupations 18 months prior to March 1st, 1927, providing for the proper display of certificates and the renewal, restoration and revocation of certificates; creating a Board of Barber Examiners, defining its duties and powers, fixing its compensation, and permitting it to make rules and regulations; providing for hearings of said Board, prescribing the fee required to be paid to obtain a certificate; making violations of this Act unlawful, and prescribing penalty therefor; providing that if any portion of this Act is declared unconstitutional, the remainder shall remain effective."

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

"Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 35, introduced by Knight, Murphy and Burke, respectfully report as follows: That said House Bill No. 35 do pass.

KROMAN, Chairman."

On motion of Kroman, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 31, introduced by Donaldson, respectfully report as follows: That said House Bill No. 31 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 25, introduced by Holton, respectfully report as follows: That said House Bill No. 25, be recommended not to pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 21, introduced by Ryder, respectfully report as follows: That said House Bill No. 21 do not pass.

BURNS, Chairman."

Moved by Burns, duly seconded and carried, that the report be adopted.

Moved by Flachsenhar as substitute motion, duly seconded and carried that House Bill No. 21 be re-referred to the Committee on Townships and Counties.

Question arising on substitute motion, same carried.

MOTIONS AND RESOLUTIONS

Moved by Adair, duly seconded and carried, that House Resolution No. —on the death of the late S. W. Langhorne, Sr., be corrected as follows: viz,

That after the word "Montana" in paragraph No. 2 thereof the following words be inserted, "to be held at Helena."

That the words "the First" preceding the words "Territorial Assembly" in paragraph 3 thereof be stricken and that the word "said" be inserted in lieu thereof.

That the Journal be corrected to conform herewith.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate.

Moved by Bricker, duly seconded and carried, that the communication from the Senate be considered read at length and the Journal so show.

Helena, Montana, January 14, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Rules, having had under consideration Senate Resolution No. 5, recommend that the same do not pass.

Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Helena, Montana, January 14, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second time and referred to the standing committees:

S. B. No. 15, by Donovan and McCabe: A Bill for an Act entitled: "An Act to amend Section 8168 of the Revised Codes of Montana of 1921 relating to the liability of indemnitors and suits against indemnitors." Judiciary Committee.

S. B. No. 16, by Donovan and McCabe: A Bill for an Act entitled: "An Act to amend Sections 9256 and 9257 of the Revised Codes of Montana of 1921 relating to attachments." Judiciary Committee.

S. B. No. 17, by Wuerthner, Gilboe and Porter; An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 4 of Article XVI of the Constitution of Montana relating to County Commissioners; providing for the division of counties into Commissioners Districts; providing for the election of one Commissioner from each of said Commissioner Districts." Constitutional Amendments

S. B. No. 18, by Henderson: An Act to amend Subdivision (c) of Section 1, Chapter 154, Laws of 1923, relating to the supervision and regulation of transportation by motor vehicles to exclude from the term "Transportation Company" as therein defined and from regulation pursuant to said Act, all private carriers, school busses, funeral vehicles, vehicles operated exclusively in transporting agricultural, horticultural or dairy or other farm products from the point of production to the market and State

oute Operators or contractors not competing with common carriers by rail." Roads and Highways Committee.

Respectfully,

J. F. CONE, Secretary of the Senate.

Helena, Montana, January 14, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Notices of Introduction of Bills were this day given:

By McCormick: "A Joint Resolution amending Rule No. 11 of the Joint Rules of the Senate and House of Representatives and providing for a standing committee to be known as the Committee on Verification of Enrolled Bills, whose duty will be to compare the enrolled bills with their records as shown in the Journals of the Senate and House of Representatives.

By Shelver: A Joint Resolution entitled: "A Resolution expressing the desire of the people of the State of Montana to his Excellency the President of the United States of America that he take steps to negotiate a treaty with the Dominion of Canada in furtherance of the Great Lakes-St. Lawrence waterway."

By Ruffcorn: "An Act to amend Chapter 119, Session Laws of Montana of 1925, relating to the date of holding primary elections."

By Henderson: "An Act to amend Section 1281 of the Revised Codes of Montana, 1921, relating to the levy for high school purposes in counties not maintaining a county high school."

Respectfully,

J. F. CONE, Secretary of the Senate.

Moved by Bricker, duly seconded and carried, that the House adjourn until 2:00 P. M., Monday, January 17th.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

FIFTEENTH DAY

House of Representatives,
Helena, Montana, January 17, 1927.

House convened pursuant to adjournment at 2:00 P. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Akofer, excused by Speaker; Kelly, excused on account of illness; Westlake, excused on account of illness.

The Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the twelfth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

COMMUNICATIONS AND PETITIONS

The following communication was received and read:

Mr. Speaker: We, your Committee on Arrangements for arranging for Governor Harding to speak before a joint meeting of the House and Senate, beg to report that at the joint committee meeting of the House and the Senate received notice that Governor Harding would not be here for this afternoon, but that the committee is endeavoring to make arrangements for a future time.

NELSTEAD, Chairman.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Leavens (by request): A Bill for an Act entitled: "An Act appropriating money for the purchase of pictures from the Historic Collection of L. A. Huffman of scenes of the pioneer days of Montana, to be placed in the Historical and Miscellaneous Library."

By Plumer: A Bill for an Act entitled: "An Act to amend Section 2001 of the Revised Codes of Montana of 1921 relating to the assessment of property for taxation."

By Tierney: A Bill for an Act entitled: "An Act to amend Section 3076 of the Revised Codes of Montana, 1921, relating to the hours of labor for female employees."

By White: A Bill for an Act entitled: "An Act authorizing the Historical Society of Montana to adopt and use a seal and designating the design of said seal."

By Foot: A Bill for an Act entitled: "An Act to amend Section 3202 of the Revised Codes of Montana, 1921, as amended by Chapter 38, Session Laws of the Nineteenth Legislative Assembly of the State of Montana, providing penalties for the possession or control, also the sale, bartering, exchange, distribution or disposition to the persons named, of certain narcotic drugs contrary to the provisions of Sections 3189 to 3201 inclusive, of the Revised Codes of the State of Montana, 1921, by changing the penalties therein provided."

By Foot: A Bill for an Act entitled: "An Act repealing Sections 12075, 12076 and 12077 of the Revised Codes of Montana, 1921, relating to indeterminate sentences and paroles."

By Dellwo: Substitute for House Bill No. 5: A Bill for an Act entitled: "An Act amending Section 1912, of the Revised Codes of Montana of 1921 reserving to the State a preference right to purchase state general fund warrants and prescribing the duties of the State Board of Land Commissioners, State Auditor and State Treasurer relating to the purchase of such warrants."

My Moss and Besancon: A Bill for an Act entitled: "An Act to amend Sections 2912, 2913, 2914, 2915, 2918, 2920, 2921, 2994, and 2995 of the Revised Codes of Montana of 1921 as amended by Chapter 121 Session Laws of 1925, relating to the workmen's compensation law and providing compensation for injury producing temporary total disability, compensation for injury producing total disability permanent in character, compensation for partial disability, compensation for injury causing death, specifying date from which compensation may be paid, providing compensation for certain specified injuries, defining hernia cases, fixing amount of deposit by employees under plan three, specifying the manner and time for making payment premium assessments; and repealing all Acts and parts of Acts in so far as the same may conflict herewith."

REPORT OF STANDING COMMITTEES

The following reports of standing committees were received and read: "We, your Committee of Employment, wish to submit the following report, to-wit: That we have on this day recommended that William Wolverton be appointed Watchman, and that he start work Monday, January 17th.

RYDER, Chairman."

On motion of Ryder, report adopted.

"Mr. Speaker: We, your Committee on Federal Relations having had under consideration, House Bill No. 39, introduced by Jameson, respectfully report as follows: That said House Bill No. 39 do pass.

STAMBAUGH, Chairman."

On motion of Stambaugh, report adopted.

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration, House Bill No. 7, introduced by Marshall and Lillis, respectfully report as follows: That said House Bill No. 7 do not pass.

LEAVENS, Chairman."

On motion of Leavens, report adopted.

"Mr. Speaker: Your committee on Printing respectfully report House Bills No. 14, 20, 26, 28, 35, and 37 as correctly printed.

COONEY, Chairman."

INTRODUCTIONS OF BILLS AND MEMORIALS

The following bills were introduced, read first and second time and referred to the standing committees:

House Bill No. 43, by Flachsenhar: A Bill for an Act entitled: "An Act to amend Section 950 of the Revised Codes of Montana of 1921 prescribing the qualifications of county superintendents of schools, and repealing all other Acts and parts of Acts in conflict herewith." Referred to Committee on Education.

House Bill No. 44, by Jones of Cascade: A Bill for an Act entitled: "An Act to amend Section 6003 of the Revised Codes of Montana of 1921 relating to the making and filing of annual statements of corporations." Referred to Committee of Corporations other than Municipal.

House Bill No. 45, by Green of Fergus: A Bill for an Act entitled: "An Act to repeal Section 3765 of the Revised Codes of Montana of 1921 relating to the creation of the "Snowy-Mountain Game Preserve" and defining the boundaries thereof." Referred to Committee on Fish and Game.

House Bill No. 46, by Nelson, Leavitt, Sample, Bretzke, Flachsenhar, Burns: A Bill for an Act entitled: "An Act relating to the sale of real property for delinquent taxes, and to amend Sections 2217, 2218, 2219, 2220, 2221, 2231, 2232, and 2233, and to repeal Sections 2182, 2183, 2184, 2185, 2186, 2187, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2201, 2202, 2204, 2205, 2206, 2207, 2208, 2209, 2212, 2213, 2214, 2215, 2216, 2224, 2225, 2229 and 2230 of the Revised Codes of Montana of 1921, with the amendments thereto." Referred to Committee on Revenue and Taxation.

House Bill No. 47, by Cavanaugh: A Bill for an Act entitled: "An Act to repeal Section 9429 of the R. C. M. of 1921 relating to exemptions of earnings, debts, incurred for necessities and exempting certain property of married women and to repeal all Acts and parts of Acts in conflict with the provisions of this Act." Referred to Committee on Ways and Means.

House Bill No. 48, by Hodgskiss: A Bill for an Act entitled: "An Act to amend Section 1270 of the Revised Codes of Montana for 1921, relating to officers of the Board of Trustees of County High Schools and the selection thereof." Referred to Committee on Education.

House Bill No. 49, by Mason: A Bill for an Act entitled: "An Act providing for the distribution of the proceeds of sales of property owned by counties, said property having been acquired by the county by tax deed." Referred to Committee on Townships and Counties.

H. B. No. 50, by Committee on Banks and Banking: A Bill for an Act entitled: "An Act revising and codifying the Banking Laws and providing for the incorporation and regulation of State Banks and Trust and Investment Companies: Providing for the regulation of private banks: the maintenance of a State Banking Department, and prescribing the qualifications, duties and compensation of the State Superintendent of Banks, and of the deputies and employees of the banking department, and prescribing a method for the liquidation of State Banks, Trust and Investment Companies, and repealing certain Sections of the laws of Montana, together with Acts amendatory thereof, and providing penalties for the violation of this Act." Referred to Committee on Banks and Banking.

H. B. No. 51, by Rognlien: A Bill for an Act entitled: "An Act to amend Section 4525 and 4526 of the Revised Codes of Montana of 1921 by providing that the contract for the care of the county poor may be let for a period of from one to five years." Referred to Committee on Townships and Counties.

H. B. No. 52, by Troy, Bonine, Dunn, Abrahamson, Tierney, Fulsher and Prescott: A Bill for an Act entitled: "An Act requiring the registration of barbers and barber apprentices, defining the practice of barbering, and prescribing conditions under which apprentices may be employed, providing that certain classes of persons are exempt from the operation of this law, including beauty shops, beauty schools and beauty culturists; prescribing the qualifications for certificates of registration for a barber and barber apprentices, and establishing the standard of barber schools, providing for examinations to obtain a barber's and apprentice's certificate of registration and the issuance of certificates therefor; providing for the issuance of certificates to barbers and barber apprentices to persons engaged in said occupations 18 months prior to March 1st, 1927; providing for the proper display of certificates, and the renewal, restoration and revocation of certificates; creating a Board of Barber Examiners, defining its duties and powers, fixing its compensation, and permitting it to make rules and regulations; providing for hearings of said Board, prescribing the fee required to be paid to obtain a certificate; making violations of this Act unlawful; and prescribing penalty therefor; providing that if any portion of this Act is declared unconstitutional, the remainder shall remain effective." Referred to Committee on Ways and Means.

H. B. No. 53, by Abrahamson, Mulholland, Tierney, Burns, Jones of Phillips, Nelson, Johnson, Bretzke, Curran, Benson, Gustafson, Woodcock, Benjamin, Hodgskiss, Miller of Lincoln, Akofer, Sparling, Bonine, Troy, Burke, Bricker, Dellwo, Lowry, Plank, Lamb, Hagerty, Cavanaugh, Goodwin, Donaldson, Ryder: A Bill for an Act entitled: "An Act amending Section 852 of the Revised Codes of Montana 1921, defining the University of Montana; and amending Section 854 of the Revised Codes of Montana, 1921, authorizing the State Board of Education to grant diplomas and to confer degrees on the graduates of the several component institutions of the University of Montana." Referred to Committee on Education.

MOTIONS AND RESOLUTIONS

The following resolution, introduced by Tierney, was read at length and referred to Committee on Education:

House Joint Resolution No. 1, by Tierney: "A Resolution requiring certain information from the Superintendent of Public Instruction, the Chancellor of the Greater University, the Board of Education, relating to the cost of education of the State of Montana."

Moved by Bricker, duly seconded and carried, that House Bill No. 19 be recalled from the Engrossing Committee and placed on General Orders.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate.

Moved by Bricker, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

Helena, January 17, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day given:

By Walker: "An Act to amend Section 4936, Revised Codes of Montana, 1921, relating to the fees of witnesses in civil and criminal actions or proceedings in courts of record, or before a referee, or officer authorized to take depositions, or commissioners to assess damages or otherwise."

By Garber: "An Act to amend Sections 853 and 858 Revised Codes of Montana, 1921, relating to the powers and duties of the State Board of Education in connection with the University of Montana, and to add a new Section to be designated as Section 853-A providing for the appointment of by the State Board of Education a Business Manager for the University of Montana and prescribing his powers and duties."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, January 17, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times and referred to the Standing Committees:

S. J. R. No. 2, by Shelver: "A Resolution expressing the desire of the people of the State of Montana to his Excellency the President of the United States of America that he take steps to negotiate a treaty with the Dominion of Canada in furtherance of the Great Lakes-St. Lawrence Waterway." Federal Relations Committee.

S. J. R. No. 3, by McCormick: "Relating to addition of Joint Rules No. 11." Committee on Rules.

S. R. No. 6, by Pauline: "Asking for appointment of Committee of Three to investigate the Fish and Game Commission."

S. B. No. 19, by Ruffcorn: "An Act to amend Section 632 of the Revised Codes of Montana of 1921 as amended by Chapter 118, Acts of the Nineteenth Legislative Assembly relating to the date of holding primary elections." Privileges and Elections Committee.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 17, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Senate Bill No. 6, reports and recommends as follows:

"That the word 'April' be stricken from Section 3 and the word 'March' be inserted in lieu thereof."

and that, as so amended, the Bill do pass.

(Signed) DELANEY, Chairman.

Respectfully,

J. F. CONE, Secretary of Senate."

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders.

Mr. Harris in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole having had under consideration, House Bill No. 22 and House Bill No. 19, respectfully report as follows: That said House Bill No. 22 do pass. That said House Bill No. 19 be amended as follows:

"Section 1. By changing line 5, of the printed bill, to read \$1154.08 and line 21 to read \$1694.46, and that as amended, House Bill No. 19 do pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

On motion of Bricker, there being no objections House reverted to Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Bricker and Besancon: A Bill for an Act entitled: "An Act relating to elections; providing for the holding of party precinct caucuses for the election of delegates to the county convention to elect delegates to the State Convention for the purpose of choosing presidential electors and delegates and alternate delegates to the National conventions of the several political parties; defining the terms used in this act; providing for the creation of new parties; providing penalties and repealing all Acts in conflict herewith."

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:00 A. M., January 18th, 1927.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

SIXTEENTH DAY

House of Representatives,
Helena, Montana, January 18, 1927.

House convened pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all present except: Akofer, absent; Kelly, excused on account of illness; Kroman, excused by Speaker; Westlake, excused on account of illness.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifteenth Legislative Day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlinton, report adopted.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Donaldson: A Bill for an Act entitled: "An Act to amend Sections 5217 and 5218 Revised Codes of Montana, 1921, relating to the fiscal years of cities and towns and the making of appropriations for such fiscal years."

By Miller of Fergus: A Bill for an Act entitled: "An Act relating to the giving of notice on application for tax deeds by counties, cities and towns, and legalizing and validating deeds heretofore issued to counties, cities and towns."

By Burke: A Joint Memorial petitioning the Congress of the United States to submit to the legislatures of the several states of the Union an amendment to the Federal Constitution, amending, abrogating or modifying the Eighteenth Amendment of said Constitution."

By Cavanaugh and Throssel: A Bill for an Act entitled: "An Act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the sale, possession or carrying of certain other dangerous weapons within this state; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this

et and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Sections 11302, 11303, 11304, 11305, 11306, 11307, 11308, and 11309 of the Revised Codes of Montana, 1921 and all other Acts and parts of Acts in conflict with the provisions of this Act."

REPORTS OF STANDING COMMITTEES

The following reports of Standing Committees were received and read: "Mr. Speaker: We, your Committee on Employment, wish to submit the following report, to-wit; that we have on this day recommended for appointment the following employees to be employed in this House during the coming Session.

Name	Position
Albert Budas, Jr.	Clerk for Sergeant at Arms.
H. C. Cook	Janitor.
Marion Lytle	Janitor.
Geo. J. Gelsing	Janitor.

These names were inadvertently omitted in our former reports and the records of this session should be corrected to so show.

RYDER, Chairman."

On motion of Ryder, report adopted.

"Mr. Speaker: We, your Committee on State Institutions having had under consideration, House Resolution No. 3, Lewis and Clark Memorial, do recommend Great Falls also Three Forks as proper sites for said memorial at some future time.

ARNOLD, Chairman."

On motion of Arnold, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 21, introduced by Ryder, respectfully report as follows: That said House Bill No. 21, do pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 10, introduced by Leavitt, respectfully report as follows: That said House Bill No. 10 do pass.

WAITE, Chairman."

On motion of Waite, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: 18, 19 and 22.

GREEN of Dawson, Chairman."

INTRODUCTIONS OF BILLS AND MEMORIALS

The following Bill was introduced, read first time by title and second time at length and referred to Appropriations Committee.

House Bill No. 54, by Leavens and Logan: A Bill for an Act entitled: An Act designating the map issued by the Board of Railroad Commissioners of the State of Montana as the official map of Montana, providing for the preservation of the State's investment in the stone thereof, providing for the issuance of a 1927 edition of said map, and extending authority to the Board of Railroad Commissioners to make a charge for said map to defray the expenses of said edition and making an appropriation therefor to carry out the purposes of this Act."

The following bills were introduced, read first and second time and referred to the standing committees:

House Bill No. 55, by Tierney: A Bill for an Act entitled: "A Bill to amend Section 3076 Revised Codes of Montana, 1921, relating to the

hours of labor for female employees." Referred to Workmen's Compensations Committee.

House Bill No. 56, by Plumer: A Bill for an Act entitled: "An Act to amend Section 2001 of the Revised Codes of Montana 1921, relating to the assessment of property for taxation." Referred to Revenue and Taxations Committee.

House Bill No. 57, by Bricker and Besancon: A Bill for an Act entitled: "An Act relating to elections; providing for the holding of party precinct caucuses for the election of delegates to the county convention to elect delegates to the State convention for the purpose of choosing presidential electors and delegates and alternate delegates to the National Conventions of the several political parties; defining the terms used in this Act; providing for the creation of new parties; providing penalties and repealing all Acts in conflict herewith." Referred to Privileges and Elections Committee.

House Bill No. 58, by White: A Bill for an Act entitled: "An Act authorizing the Historical Society of Montana to adopt and use a seal and designating the design of said seal." Referred to Public Utilities and State Commissions Committee.

House Bill No. 59, by Cheadle: A Bill for an Act entitled: "An Act to amend Section 2235 of the Revised Codes of Montana of 1921 relating to the sale of real estate acquired by a county by sale for delinquent taxes and providing for a method therefor, terms thereof and for the disposition of the money derived therefrom." Referred to Townships and Counties Committee.

MOTIONS AND RESOLUTIONS

The following resolution, introduced by Curran, was read at length and referred to Workmen's Compensations Committee.

House Joint Resolution No. 2, by Curran: "Resolution ratifying an amendment to the Constitution of the United States granting to the Congress of the United States the power to limit, regulate and prohibit the labor of persons under eighteen years of age." Referred to Workmen's Compensation Committee.

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 14 be taken from general orders and re-referred to Committee on Printing as it was found that House Bill No. 14 as printed does not include certain amendments that were made by the Committee on Education.

Moved by Cooney, duly seconded and carried, that the number of House Bills to be printed be increased from 500 to 800.

Moved by Bricker, duly seconded and carried, that the House recess until 1:30 P. M.

AFTERNOON SESSION

House resumed at 1:30 P. M.

Mr. Speaker in the chair.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House resolve itself into Committee of the Whole for consideration of General Orders.

Mr. Moss in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 20, House Bill No. 26, House Bill No. 28, House Bill No. 35, and House Bill No. 37, respectfully report as follows: That

House Bill No. 20 be amended as follows:

Section 3. By striking out all of Section 3; and that as amended House Bill No. 20, do pass.

House Bill No. 26 be amended as follows:

Section 1. By striking out the words "Section 1" in line three, and inserting in lieu thereof the number "1704."

Section 1. By inserting the words "bridge tax levy and collection" after "1704."

Section 3. By striking out all of Section 3, and that House Bill No. 26, as so amended, do pass.

House Bill No. 28 be amended as follows:

Section 1. By striking out the word "Governor" in line 4 and inserting in lieu thereof "Representative in Congress."

By striking out the word "that" in line 11.

By adding the words "political party nominations made exclusively as herein provided" after the number 639.

Section 2. By striking out in line two the word "Governor" and insert in lieu thereof "Representative in Congress."

Section 2. In line 1 by striking out the words "Section 2."

Section 4. By striking out all of said Section 4, and as so amended do pass.

House Bill No. 35 be amended as follows:

Section 3. By striking out all of Section 3, and as so amended, do pass.

House Bill No. 37 be amended as follows:

Section 3. By striking out all of said Section 3, and that House Bill No. 37, as so amended, do pass.

MOSS, Chairman.

Moved by Moss, duly seconded and carried, that report of Committee of the Whole be adopted.

On motion of Bricker, there being no objections, House reverted to Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Benjamin: A Bill for an Act entitled: "An Act to amend Section 4922 of the Revised Codes of Montana of 1921, relating to fees of coroner.

By Dunn, Moss, Nagle, Throssel: A Bill for an Act entitled: "An Act to amend sub-division (c) Section 1, Section 2, Section 3, Chapter 154, Laws 1923, relating to the regulation of the transportation of persons and property by motor vehicles within the State of Montana; by making said Act applicable to common carriers operating within or without the limits of municipal corporations, establishing a prima facie rule of evidence for operators and correcting the language of said original Act."

By Gustafson and Burns: A Bill for an Act entitled: "An Act to amend Section 640 of Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly, providing for the filing of petitions for nomination, providing for the fees for such petitions, and providing that no person shall have his name printed on the ballot at the general election without the payment of such fee."

On motion of Donaldson, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Donaldson, duly seconded and carried, that the House reconsider its action on the report of the Committee on State Institutions, Public Buildings and Grounds, on House Resolution No. 3, relating to the Lewis and Clark Memorial Commission.

Moved by Donaldson, duly seconded and carried that House Resolution No. 3, now designated under the head of Miscellaneous Communications, be re-referred to the Committee on State Institutions, Public Buildings and Grounds.

On motion of Reed, there being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second times by title only and referred to standing committees:

House Bill No. 60, by Benjamin: A Bill for an Act entitled: "An Act to amend Section 4922 of the Revised Codes of Montana of 1921, relating to fees of coroner." Referred to Public Health and Sanitary Affairs Committee.

House Bill No. 61, by Abrahamson: A Bill for an Act entitled: "An Act relating to the testing of scales; authorizing the employment of a state scale expert and deputies, and defining their powers and duties; authorizing the furnishing of railroad transportation to said state scale expert while engaged in testing railroad scales creating a contingent revolving fund to defray the expenses of the state scale expert and his deputies; providing penalties for the use of weighing devices which have not been tested as required by this Act, and for making false tests and for other violations of the provisions of this Act, and repealing Section 3575 of the Revised Codes of Montana of 1921, and all Acts and parts of Acts in conflict herewith." Referred to Ways and Means Committee.

House Bill No. 62, by Foot: A Bill for an Act entitled: "An Act repealing Sections 12075, 12076 and 12077 of the Revised Codes of Montana of 1921, relating to indeterminate sentences and paroles." Referred to State Boards and Officers Committee.

House Bill No. 63, by Foot: A Bill for an Act entitled: "An Act to amend Sections 3202 of the Revised Codes of Montana of 1921, as amended by Chapter 38, Laws of the Nineteenth Legislative Assembly of the State of Montana, providing penalties for the possession or control, also the sale, bartering, exchange, distribution, or disposition to the persons named, of certain narcotic drugs contrary to the provisions of Sections 3189 to 3201, inclusive of the Revised Codes of Montana of 1921, by changing the penalties therein provided." Referred to Public Health and Sanitary Affairs Committee.

The following bills were introduced, read first time by title only and second time at length and referred to Appropriation Committee: Said bills were introduced without notice.

House Bill No. 64, by the Appropriations committee: A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance of certain of the state offices of the State of Montana for the period beginning July 1st, 1927, and ending June 30th, 1929."

House Bill No. 65, by the Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate funds for the payment of a claim of Frank R. Baney for expense incurred in defense of an action against him as sheriff of Lincoln County."

House Bill No. 66, by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate funds for the payment of certain deficiency claims arising from the operation of various state departments, commissions and institutions during years prior to and closing with June 30, 1925."

House Bill No. 67, by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the payment of a deficiency claim of H. J. Hammill for labor and materials furnished in the erection and construction and repair of buildings and structures at the Montana State Normal College at Dillon."

House Bill No. 68, by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate funds for the payment of claims due to the Industrial Accident Board of the State of Montana, as assessments against certain State Institutions from January 1st, to June 30th, 1925."

On motion of Bricker, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 3, introduced by Besancon, respectfully report as follows: That said House Bill No. 3 do pass.

HARRIS, Chairman."

On motion of Jones of Cascade, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 56, introduced by Plumer, respectfully report as follows: That said House Bill No. 56 do not pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

On motion of Bricker, there being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

House Bill No. 18, introduced by Appropriations Committee, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harcastle, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Cascade), Knight, Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McLeod, Mason, Merritt, Miller (Fergus), Moss, Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Sutton, Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—78.

Noes: None.

Absent and not voting: Akofer, Arnold, Cooney, Dellwo, Dunn, Fulsher, Harris, Holton, Johnson, Jones (Ravalli), Kelly, Kroman, McCleary, Marshall, Miller (Lincoln), Nelson, Reed, Rockwood, Stambaugh, Steeves, Thorburn, Throssel, Tierney, Westlake. Total—24.

House Bill No. 19, introduced by Appropriations Committee, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harcastle, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Cascade), Knight, Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McLeod, Mason, Merritt, Miller (Fergus), Moss, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rognlien, Rorvik, Ryder, Sample, Sparling, Sutton, Thorburn, Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—80.

Noes: None.

Absent and not voting: Akofer, Arnold, Dellwo, Dunn, Fulsher, Harris, Johnson, Jones (Ravalli), Kelly, Kroman, McCleary, Marshall, Miller (Lin-

coln), Moulton, Nelson, Rockwood, Shields, Stambaugh, Steeves, Throssel, Tierney, Westlake. Total—22.

House ill No. 22, introduced by Cheadle, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Cascade), Knight, Knowles, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McLeod, Marshall, Mason, Merritt Miller (Fergus), Moss, Moulton, Mulholland, Murphy, Nagle Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rognlien, Rorvik, Sample, Sparling, Sutton, Thorburn, Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting: Akofer, Arnold, Dellwo, Dunn, Fulsher, Harris, Johnson, Jones (Ravalli), Kelly, Kroman, McCleary, Miller (Lincoln), Rockwood, Ryder, Shields, Stambaugh, Steeves, Throssel, Tierney, Westlake. Total—20.

Present and not voting: Larson. Total—1.

On motion of Troy, there being no objections, House reverted to Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Troy and Throssel: A Bill for an Act entitled: "An Act to regulate the occupation of hairdressers, cosmeticians, and cosmetologists, create a state examining board for the licensing of persons to carry on or teach such practices, to insure the better education of such practioners, to provide rules regulating the proper conduct and sanitation of hairdressing and cosmeticians establishments and schools, and to provide penalties for violations thereof."

Moved by Bricker, duly seconded and carried that the House adjourn until 10:00 A. M. January 19th.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

SEVENTEENTH DAY

House of Representatives,
Helena, Montana, January 19, 1927.

House convened pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all present except: Fulsher, absent; Holton, absent; Kelly, excused on account of illness; Plumer, absent, Stambaugh, excused by Mr. Speaker for 19th and 20th; Westlake, excused on account of illness.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the sixteenth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman.

On motion of Darlinton, report adopted.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Johnson: A Bill for an Act entitled: "An Act authorizing cities and towns which do not have a paid fire department to levy a special tax not exceeding five mills on the dollar of assessed valuation of property in such cities and towns for the support and maintenance of volunteer fire departments and the purchase of equipment therefor."

By Foot: A Bill for an Act entitled: "An Act declaring a state of intoxication in a public place to be a misdemeanor; defining the meaning of the term 'state of intoxication' and 'public place' and providing a penalty therefor."

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to the standing committees:

House Bill No. 69, by Dunn, Moss, Nagle and Throssel: A Bill for an Act entitled: "An Act to amend Sub-division (c), Section 1, Section 2, Section 3, Chapter 154, Laws 1923, relating to the regulation of the transportation of persons and property by motor vehicles within the State of Montana, by making said act applicable to common carriers operating within or without the limits of municipal corporations; establishing a prima facie rule of evidence for operators and correcting the language of said original Act." Referred to Railroads and Transportation Committee.

House Bill No. 70, by Miller of Fergus: A Bill for an Act entitled: "An Act relating to the giving of notice on application for tax deeds by counties, cities and towns, and legalizing and validating deeds heretofore issued to counties, cities and towns." Referred to Revenues and Taxations Committee.

House Bill No. 71, by Cavanaugh and Throssel: A Bill for an Act entitled: "An Act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the sale, possession or carrying of certain other dangerous weapons within this state; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use or possession of any such weapons by certain classes of persons; to prescribe penalties for violations of this Act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Sections 11302, 11303, 11304, 11305, 11306, 11307, 11308 and 11309 of the Revised Codes of Montana of 1921 and all other Acts and parts of Acts in conflict with the provisions of this Act." Referred to Public Safety Committee.

House Bill No. 72, by Gustafson and Burns: A Bill for an Act entitled: "An Act to amend Section 640 of Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly, providing for the filing of petitions for nomination, providing for the fees for such petitions, and providing that no person shall have his name printed on the ballot at the general election without the payment of such fee." Referred to Privileges and Elections Committee.

House Bill No. 73, by Donaldson: A Bill for an Act entitled: "An Act to amend Sections 5217 and 5218 Revised Codes of Montana 1921, relating to the fiscal years of cities and towns and the making of appropriations for such fiscal years." Referred to Affairs of Cities Committee.

House Bill No. 74, by Troy and Throssel: A Bill for an Act entitled: "An Act to regulate the occupation of hairdressers, cosmeticians and cos-

metologists, create a State Examining Board for the licensing of persons to carry on or teach such practices, to insure the better education of such practioners, to provide rules regulating the proper conduct and sanitation of hairdressing and comsetician establishments and schools, and to provide penalties for violations thereof." Referred to Ways and Means Committee.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications from the Senate were received:

Moved by Bricker, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

Helena, January 18, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that in pursuance to the Resolution introduced by Senator Pauline, relative to the investigation of the Fish and Game Commission, the President appointed the following Senators: Pauline, McCormick, Buttleman.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 18, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committee reported as follows:

Committee on Rules, having had under consideration Senate Joint Resolution No. 3, beg leave to report that the same do pass.

On motion of Senator Griffin, duly seconded, the report of the committee was made a special order of business for Wednesday, January 19th, at 11:15, for further consideration.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, January 18, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion by Senator Taylor was this day adopted:

I move that the Printing Committee be furnished with copies of the contracts under which the Senate printing was done and that the Printing Committee be furnished with copies of bills for all Senate printing and verification, and that the Sergeant-at-Arms be instructed to furnish the chairman of the printing committee with copies of the printing contracts and bills in pursuance of this motion.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 18, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notice of Introduction of Bills was this day given:

By Wuerthner: "An Act changing, establishing and defining the boundary lines between Chouteau County and Cascade County.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 18, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Privileges and Elections, having had under consideration Senate Bill No. 19, by Ruffcorn, reports and recommends that S. B. No. 19, entitled: 'A Bill for an Act entitled: "An Act to amend Section 632 of the Revised Codes of Montana of 1921 as amended by Chapter 118, Acts of the Nineteenth Legislative Assembly, relating to the date of holding primary elections," do pass.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

On motion of Reed, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 30, introduced by White and Fulsher, respectfully report as follows: That House Bill No. 30 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 34, introduced by McLeod, respectfully report as follows: That House Bill No. 34 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 54, introduced by Leavens and Logan, respectfully report as follows: That House Bill No. 54 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 64, introduced by the Appropriations Committee, respectfully report as follows: That House Bill No. 64 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 65, introduced by the Appropriations Committee, respectfully report as follows: That House Bill No. 65 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 66, introduced by the Appropriations Committee, respectfully report as follows: That House Bill No. 66 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 67, introduced by the Appropriations Committee, respectfully report as follows: That House Bill No. 67 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 68, introduced by the Appropriations Committee, respectfully report as follows: That House Bill No. 68 do pass.
REED, Chairman."

On motion of Reed, report adopted.

Moved by Bricker, duly seconded and carried that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Arnold: A Bill for an Act entitled: "An Act to appropriate money from the Industrial Accident fund of the State of Montana for the payment of the claim of Martha B. Williams, which claim was disallowed by the Industrial Accident Board because it was not presented within six months from the date of the happening of the accident."

By Nagle, Mason and Adair: A Bill for an Act entitled: "An Act to provide for the publication of proceedings of city councils, including the annual publication of fiscal reports of cities."

By White, Warren, Gustafson and Jones of Cascade: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the State Apiary Inspection Service in connection with and under the direction of the State Department of Agriculture of Montana, for the period of two years."

By Besancon: A Bill for an Act entitled: "An Act to amend Section 2215 of the Revised Codes of Montana, 1921, relating to tax deeds by counties and the title conveyed thereby."

By Sparling: A Bill for an Act entitled: "An Act to amend Section 1617 of the Revised Codes of Montana relating to the amount of mills county commissioners may levy for general road tax."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: Your Committee on Printing respectfully report House Bills No. 10 and 21 as correctly printed.

COONEY, Chairman."

"Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 1, introduced by Tierney, respectfully report as follows: That House Joint Resolution No. 1 be amended in line 5 of Sections 2 so as to read "the 30th legislative day," instead of the 50th legislative day, and as amended it do pass.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 5, introduced by Dellwo, respectfully report as follows: That House Bill No. 5 do not pass, but that substitute for House Bill No. 5, by Judiciary Committee, being a Bill entitled: "A Bill for an Act amending Section 1912, of the Revised Codes of Montana of 1921 reserving to the State a preference right to purchase State General Fund Warrants and prescribing the duties of the State Board of Land Commissioners, State Auditor and State Treasurer relating to the purchase of such warrants," do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 33, introduced by Miller of Fergus, respectfully report as follows: That House Bill No. 33 do pass.

CLARKE, Chairman."

On motion of Clarke, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 41, introduced by Cavanaugh, respectfully report as follows: That said House Bill No. 41 do pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 43, introduced by Flachsenhar, respectfully report as follows: That House Bill No. 43 be amended by striking out the word "Successful" immediately following the word "years" and preceding the word "experience" in line 11 in Section 1 and as amended it do pass.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 48, introduced by Hodgskiss, respectfully report as follows: That House Bill No. 48 do not pass.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 58, introduced by White, respectfully recommend that said House Bill No. 58 do pass.

CLAUSEN, Chairman."

On motion of Clausen, report adopted.

On motion of Besancon, there being no objections, House reverted to Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Cooney, Jones of Cascade, Jensen, Brown, O'Day, Shields, Darlington, Dunn and Westlake: A Bill for an Act entitled: "An Act designating Great Falls, Montana, and Three Forks, Montana, as sites for the location of memorial statues commemorating the expedition of Lewis and Clark in accordance with the recommendation of the Lewis and Clark Commission."

By Besancon: A Bill for an Act entitled: "An Act to amend Section 1617 of the Montana Revised Codes, 1921, relating to county road tax levy and exempting therefrom certain rural improvement districts."

By Besancon: A Bill for an Act entitled: "An Act to prevent the deposit or leaving of earth, rock, gravel or other hard substances on railway tracks at the intersection of highways or other places and providing penalties."

INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second time by title only, and referred to Workmen's Compensation Committee:

House Bill No. 75, by Moss and Besancon: A Bill for an Act entitled: "An Act to amend Sections 2912, 2913, 2914, 2915, 2918, 2920, 2921, 2994 and 2995 of the Revised Codes of Montana 1921 as amended by Chapter 121 Session Laws of 1925, relating to the workmen's compensation law; and providing compensation for injury producing temporary total disability, compensation for injury producing total disability permanent in character, compensation for partial disability, compensation for injury causing death, specifying date from which compensation may be paid, providing compensation for certain specified injuries, defining hernia cases, fixing amount of deposit by employers under plan three, specifying the manner and time for making payments of premium assessments and repealing all Acts and parts of Acts in so far as the same may conflict herewith."

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that the Committee on State Institutions, Public Buildings and Grounds, investigate the matter of having the lighting system at the front of the House Chambers changed so that the picture back of the Speaker's chair may be lighted up to better advantage, and that they bring back recommendations to the House not later than the 26th day of January, 1927.

Moved by Bricker, duly seconded and carried that the Committee on State Boards and officers be instructed by the House, to secure an itemized statement of the items charged to the Legislative expense of the Nineteenth Legislative Assembly, also secure an inventory of the furniture, fixtures and other equipment which is the property of the Legislative department, and that they report back to the House by the twenty-fifth Legislative Day.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate and read at length:

Helena, Montana, January 19, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable

Body that the attached motion, introduced by the chairman of the Committee on Education, was this day read and adopted, and the president, in conformity therewith, appointed the following Senators: Eaton, Swift, Porter, to act with a like committee from the House to comply with the provisions thereof.

Respectfully,

J. F. CONE, Secretary of Senate.

Senate motion, introduced by Committee on Education:

WHEREAS, Education in all its phases, from the elementary schools to the units of the university, is of paramount importance to the State of Montana, and offers many pressing problems which should be solved in the near future, and,

WHEREAS, Many agencies in the state are attempting a campaign looking toward a policy of land settlement and an influx of new settlers, and,

WHEREAS, Efforts in behalf of such encouragement of new settlers may be nullified by lack of school facilities and by exorbitant special school tax levies, and,

WHEREAS, All history teaches that when educational privileges are extended the producing power of the people is increased and the desire for improved living is advanced; in consequence the economic law operates to increase the volume of trade, to advance real estate values in town and country, to induce immigration, to lift the level of living and culture, and to develop a more stable and contented people, and,

WHEREAS, The Governor of the State, in his message to this legislative assembly, has recommended that "The school laws be amended so that there may be brought about a more equitable distribution of school funds and a more economical use of the revenues raised for school purposes to the end that all children may have the equal opportunities to secure a common school education," and in the same message has further recommended that something should be done to finance the educational institutions of the State after 1930, when the authorization for the present State tax levy will expire.

THEREFORE BE IT RESOLVED, That a committee be appointed, consisting of three members of the Senate and three members of the House of Representatives, to confer with the Governor of the State and arrange with him for calling in Helena on February 5th, 1927, a conference of citizens of the state, representative of industrial, agricultural, labor, commercial, transportation and other activities depending for their survival on the development of the state's material and educational resources, to consider and recommend specific plans for the accomplishment of the purposes mentioned in the Governor's message, as above quoted, and for the solution of educational problems of importance to the State.

COMMITTEE, ON EDUCATION,
SWIFT, Chairman."

Moved by Bricker, duly seconded and carried, that the House concur in the above motion of the Senate and that the Speaker appoint three members to act with the committee from the Senate to comply with the provisions thereof.

Whereupon Mr. Speaker appointed the following as members of the said committee: Flachsenhar, Prairie, chairman; Moss, Flathead; Dellwo, Lake.

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, January 19, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second times and referred as follows:

House Bill No. 18, by Committee on Appropriations, referred to Committee on Finance and Claims.

House Bill No. 19, by Committee on Appropriations, referred to Committee on Finance and Claims.

House Bill No. 22, by Cheadle, referred to Committee on Public Morals. Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 19, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees report as follows:

Committee on Finance and Claims, having had under consideration Senate Joint Resolution No. 1, by Garber, report and recommend that Senate Joint Resolution No. 1, do not pass. Report adopted.

Committee on Federal Relations, having had under consideration Senate Joint Resolution No. 2, by Shelver, report and recommend that same do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 19, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day given:

By Goodman: "A Bill to repeal Section 1075 of the Revised Codes of 1921, relating to the tenure of office of teachers in public schools."

By Goodman: "An Act amending Section 715 of the Revised Codes of 1921, relating to voting by electors when absent from place of residence."

By Pauline. "An Act to amend Section 5039 of the Revised Codes of Montana of 1921, as amended by Chapter 115 of the Session Laws of the Nineteenth Legislative Assembly, relating to powers of city councils by adding thereto a new subsection to be known as "Subsection 84" giving the city or town council power to acquire lands by purchase, gift or condemnation, either within or without the corporate limits of the municipality, for landing fields for aircraft, and conferring municipal jurisdiction over the same."

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 19, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times and referred to the standing committees:

Senate Bill No. 20, by Garber: "An Act to amend Sections 853 and 858 Revised Codes of Montana 1921, relating to the powers and duties of the State Board of Education in connection with the University of Montana, and to add a new Section, to be designated as Section 853-A, providing for the appointment by the State Board of Education of a business manager for the University of Montana and prescribing his powers and duties." Education Committee.

Senate Bill No. 21, by Walker: "An Act to amend Section 4936, Revised Codes of Montana, 1921, relating to the fees of witnesses in civil and criminal actions or proceedings in courts of record, or before a referee, or officer authorized to take depositions, or commisisoners to assess damages or otherwise." Judiciary Committee.

Senate Bill No. 22, by Walker: "An Act to amend Section 10295, Revised Codes of Montana, 1921, relating to estates and providing that an Executor or Administrator may be cited to account after his authority ceases or is revoked, that in case of the death of an executor, administrator or guardian his accounts may be presented by his personal representative to the court for settlement and that upon the petition of the successor of such deceased executor, administrator or guardian such court may compel the personal representative of such deceased executor, administrator or guardian to render an account of the administration of his testator, intestate or ward." Judiciary Committee.

Senate Bill No. 23, by Walker: "An Act to amend Section 10482, Codes of Montana, 1921, relating to a Mother's Pension and prescribing the conditions to which the allowance to the mother for the support of her dependent child or children is subject." Judiciary Committee.

Respectfully,

J. F. CONE, Secretary of Senate."

Mr. Speaker excused the following for Thursday: Fulsher, on account of illness; Cheadle; Hagerty and Barry.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:00 A. M. Thursday, January 20th.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

EIGHTEENTH DAY

House of Representatives,
Helena, Montana, January 20, 1927.

House convened pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all members present except: Barry, excused; Cheadle, excused; Cooney, absent, Fulsher, excused on account of illness; Hagerty, excused; Johnson, absent; Kelly, excused on account of illness; Moulton, excused; Steeves, excused; Stambaugh, absent; Westlake, excused on account of illness.

The Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the seventeenth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce bills as follows:

By Benjamin: A Bill for an Act entitled: "An Act to enable cities and towns to purchase, construct and develop an adequate supply of natural gas and to acquire or construct a system of gas lines for the distribution thereof and to distribute the same to the inhabitants of said city or town and vicinity."

By Foot: A Bill for an Act entitled: "An Act transferring the balance of the State Law Enforcement Fund remaining in the State Treasury to the Department of the Attorney General; creating the law enforcement fund of the Attorney General's Department, and providing the purpose and use of such fund."

By Committee on Horticulture: A Bill for an Act entitled: "An Act to amend Chapter 144 of the Session Laws of the 19th Legislative Assembly of Montana of 1925, relating to the State Horticulture Revolving Fund."

By Donaldson and Dellwo: A Bill for an Act entitled: "An Act to amend Section 4741 of the Revised Codes of Montana of 1921, relative to Classification of Counties."

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read: "Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds having had under consideration, the matter of the lighting system back of the Speaker's stand, covering the Speaker's desk

and picture, respectfully report as follows: That the Sergeant at Arms be instructed to have the Montana Power Company measure up and make a survey of the lighting system, and to install the same according to their recommendations.

ARNOLD, Chairman."

On motion of Arnold, report adopted.

"Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs having had under consideration, House Bill No. 17, introduced by Fulsher, respectfully report as follows: That House Bill No. 17 be amended as follows: In Section 1, line 4, striking out the word "fifteen" and inserting in lieu thereof, the word "five," and in line six, by striking out the word "ten" and inserting in lieu thereof the "twenty." Amended as above, recommend that the bill do pass.

KROMAN, Chairman."

On motion of Kroman, report adopted.

"Mr. Speaker: We, your Committee on Corporations other than Municipal having had under consideration, House Bill No. 44, introduced by Jones of Cascade, respectfully report as follows: That House Bill No. 44 do pass.

LOGAN, Chairman."

On motion of Logan, report adopted.

"Mr. Speaker: We, your Committee on Banks and Banking having had under consideration, House Bill No. 50, introduced by Committee on Banks and Banking respectfully report as follows: That House Bill No. 50 do pass as amended.

Section 80, line 25, strike out the word "thirty" and insert in lieu thereof the word "ninety."

Amend Section 102 by striking out the last sentence thereof.

Amend Section 110 by striking out the word "twice" in line 21.

Amend Section 145 by striking out the word "will" in line one and insert the word "shall" in lieu thereof.

WAITE, Chairman."

On motion of Waite, report adopted.

"Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 60, introduced by Benjamin, respectfully report as follows: That House Bill No. 60 do pass.

KROMAN, Chairman."

On motion of Kroman, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration, House Bill No. 72, introduced by Gustafson and Burns, respectfully report as follows: That House Bill No. 72 do pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, the majority of your Committee on Privileges and Elections, having had under consideration, House Bill No. 15, introduced by Cavanaugh, respectfully report as follows: That House Bill No. 15 do not pass.

JONES of Cascade, Vice Chairman,
ROGNLIEN,
HARDCASTLE,
WARREN,
NELSON.

"Mr. Speaker: We, the minority of your Committee on Privileges and Elections, having had under consideration, House Bill No. 15, introduced by Cavanaugh, respectfully report as follows: That House Bill No. 15 be printed and placed on General Orders.

HARRIS, Chairman.
CAVANAUGH.
TINSLEY.
REED.

Moved by Jones of Cascade, duly seconded, that majority report be adopted.

Moved by Harris, as substitute motion, duly seconded, that minority report be adopted.

Question arising on substitute motion, same failed.

Question arising on original motion, same carried.

The Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 20, 26, 28, 35 and 37.

W. B. THORBURN, Vice-Chairman."

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second times by title only and referred to standing committees:

House Bill No. 76, by Johnson: A Bill for an Act entitled: "An Act authorizing cities and towns which do not have a paid fire department to levy a special tax not exceeding 5 mills on the dollar of assessed valuation of property in such cities and towns for the support and maintenance of volunteer fire departments and the purchase of equipment therefor." Referred to Affairs of Cities Committee.

House Bill No. 78, by Leavens: A Bill for an Act entitled: "An Act to amend Section 4546 of the Revised Codes of Montana of 1921, relating to the duties of county fair commissions, by including therein the authority to let contracts for advertising and printing." Referred to Fairs and Expositions Committee.

House Bill No. 79, by Sparling: A Bill for an Act entitled: "An Act to amend Section 1617 of the Revised Codes of Montana of 1921, relating to the amount of mills county commissioners may levy for general road tax." Referred to Townships and Counties Committee.

House Bill No. 81, by Moss: A Bill for an Act entitled: "An Act relating to elections, providing a method of electing presidential electors, delegates to national conventions and national committeemen by political parties, and repealing all Acts and parts of Acts in conflict herewith." Referred to Privileges and Elections Committee.

House Bill No. 82, by Foot: A Bill for an Act entitled: "An Act declaring a state of intoxication in a public place to be a misdemeanor; defining the meaning of the terms 'State of Intoxication' and 'public place' and providing a penalty therefor." Referred to Public Morals, Charities and Reforms Committee.

House Bill No. 83, by Cooney, Jones of Cascade, Brown, O'Day, Jensen, Shields, Darlington, Dunn and Westlake: A Bill for an Act entitled: "An Act to designate the places for the erection of the bronze statutes commemorating the explorations of the Lewis and Clark expedition." Referred to State Institutions, Public Buildings and Grounds Committee.

House Bill No. 84, by Besancon: A Bill for an Act entitled: "An Act to prevent the deposit or leaving of earth, rock, gravel or other hard substances on railway tracks at the intersection of highways or other places and providing penalties." Referred to Ways and Means Committee.

House Bill No. 85, by Besancon: A Bill for an Act entitled: "An Act to amend Section 2215 of the Revised Codes of Montana, 1921, relating to the tax deeds by counties and the title conveyed thereby." Referred to Townships and Counties Committee.

House Bill No. 86, by Nagle, Mason and Adair: A Bill for an Act entitled: "An Act to provide for the publication of proceedings of city councils, including the annual publication of fiscal reports of cities." Referred to Affairs of Cities Committee.

The following bills were introduced, read first time by title, second time at length and referred to the Appropriations Committee:

House Bill No. 77, by Arnold: A Bill for an Act entitled: "An Act to appropriate money from the Industrial Accident Fund of the State of Montana for the payment of the claim of Martha B. Williams, which claim was disallowed by the Industrial Accident Board because it was not presented within six months from the date of the happening of the accident."

House Bill No. 80, by White, Warren, Gustafson and Jones of Cascade: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the State Apiary Inspection Service in connection with and under the direction of the State Department of Agriculture of Montana, for the period of two years."

MOTIONS AND RESOLUTIONS

The following resolution was received and read at length:

House Resolution No. 4, introduced by Bretzke, Hodgskiss, Burns, Nestead, Johnson, Dellwo.

WHEREAS, The oil industry is rapidly expanding in this State and the manufacture and compounding of gasoline has developed to such an extent that there is now nearly as much gasoline refined in Montana as is used in the State, and,

WHEREAS, the price of gasoline to consumers in Montana is greatly in excess of the price to consumers in neighboring states, and,

WHEREAS, we the members of the Twentieth Legislative Assembly of the State of Montana believe that the price of gasoline in Montana is excessive and unreasonable as compared with the price in non-producing neighboring states, and,

WHEREAS, the people of the State of Montana believe there is no reasonable basis or reason for charging them more for gasoline than the people of neighboring states are obliged to pay, and are demanding that an investigation be made with the view of ascertaining the reason if any there be for the apparent discrimination against the people of Montana.

THEREFORE, BE IT RESOLVED by the Legislative Assembly that it unreservedly favors an investigation of the cause of the unreasonable price of gasoline in Montana and to that end recommends that a legislative committee of three be appointed to investigate the cause of the gasoline prices in Montana, and particularly as to why they are so far in excess of the prices for similar gasoline in non-producing neighboring states, and that such committee report the result of its investigation to the Legislative Assembly at the earliest possible moment, and in any event, not later than February 15th, 1927.

Moved by Bretzke, duly seconded and carried that the above resolution be adopted.

On motion of Reed, there being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced by the Appropriations Committee, without previous notice, read first time by title only, second time at length, and referred to the Appropriations Committee:

House Bill No. 87, by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and improvements of the Montana State Fair for the period beginning July 1, 1927, and ending June 30, 1929, and directing the disposition of moneys arising from the operation of the Montana State Fair."

House Bill No. 88, by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of certain of the Boards, Commissions and Departments of the State of Montana for the period beginning July 1, 1927, and ending June 30, 1929."

MOTIONS AND RESOLUTIONS

Moved by Adair, duly seconded that the House reconsider its action in adopting Senate Resolution found on page 43 of the proceedings of the House of Representatives for Wednesday, January 19th. Motion failed.

THIRD READING OF HOUSE BILLS

House Bill No. 20, introduced by Burns, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke Clausen, Curran, Darlinton, Dellwo, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green of Fergus, Gustafson, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones of Cascade, Knight, Knowles, Kroman, Lamb, Larson, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller of Fergus, Miller of Lincoln, Moss, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Sutton, Throssel, Tierney, Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—82.

Noes: None.

Absent and not voting: Barry, Cheadle, Cooney, Donaldson, Doran, Fulsher, Green of Dawson, Hagerty, Holton, Johnson, Jones of Phillips, Jones of Ravalli, Kelly, Leavens, Moulton, Ryder, Stambaugh, Steeves, Thorburn, Westlake. Total—20.

House Bill No. 26, introduced by Burns, Gustafson and Nelstead, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Benjamin, Benson, Besancon, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Clarke, Clausen, Dellwo, Donaldson, Erickson, Flachsenhar, Goodwin, Green of Fergus, Gustafson, Hardcastle, Harris, Hodgskiss Holton, Jameson, Jensen, Jones of Cascade, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller of Fergus, Miller of Lincoln, Moss, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Sutton, Tierney, Tinsley, Waite, White, Willard, Woodcock, Mr. Speaker. Total—70.

Noes: None.

Absent and not voting: Abrahamson, Ballard, Barry, Bonine, Brown, Chatham, Cheadle, Cooney, Curran, Darlinton, Doran, Dougherty, Dunn, Foot, Fulsher, Green of Dawson, Hagerty, Johnson, Jones of Phillips, Jones of Ravalli, Kelly, Knight, Knowles, Moulton, Nelson, Stambaugh, Steeves, Thorburn, Throssel, Troy, Warren, Westlake. Total—32.

House Bill No. 28, introduced by Rognlien, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Benjamin, Benson, Besancon, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Clarke, Clausen, Dellwo, Donaldson, Dougherty, Erickson, Flachsenhar, Goodwin, Green of Fergus, Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones of Cascade, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller of Fergus, Miller of Lincoln, Moss, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Ryder, Sample, Sutton, Tierney, Tinsley, Waite, White, Willard, Woodcock, Mr. Speaker. Total—66.

Noes: Larson, Plumer, Rorvik, Sparling. Total—4.

Absent and not voting: Abrahamson, Ballard, Barry, Bonine, Brown, Chatham, Cheadle, Cooney, Curran, Darlinton, Doran, Dunn, Foot, Fulsher, Green of Dawson, Hagerty, Johnson, Jones of Phillips, Jones of Ravalli, Kelly, Knight, Knowles, Moulton, Nelson, Shields, Stambaugh, Steeves, Thorburn, Throssel, Troy, Warren, Westlake. Total—32.

House Bill No. 35, introduced by Knight, Murphy and Burke, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Benjamin, Benson, Besancon, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Clarke, Clausen, Dellwo, Donaldson, Dougherty, Erickson, Flachsenhar, Goodwin, Green of Fergus, Gustafson, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones of Cascade, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller of Fergus, Miller of Lincoln, Moss, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Sparling, Sutton, Thorburn, Tierney, Tinsley, Waite, White, Willard, Woodcock, Mr. Speaker. Total—70.

Noes: None.

Absent and not voting: Abrahamson, Ballard, Barry, Bonine, Brown, Chatham, Cheadle, Cooney, Curran, Darlington, Doran, Dunn, Foot, Fulsher, Green of Dawson, Hagerty, Holton, Johnson, Jones of Phillips, Jones of Ravalli, Kelly, Knight, Knowles, Moulton, Nelson, Shields, Stambaugh, Steeves, Throssel, Troy, Warren, Westlake. Total—32.

House Bill No. 37, introduced by Appropriations Committee, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Benjamin, Benson, Besancon, Bretzke, Bricker, Budas, Cavanaugh, Clarke, Clausen, Dellwo, Donaldson, Dougherty, Erickson, Flachsenhar, Goodwin, Green of Fergus, Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones of Cascade, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller of Fergus, Miller of Lincoln, Moss, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Sparling, Sutton, Thorburn, Tierney, Tinsley, Waite, White, Willard, Woodcock, Mr. Speaker. Total—69.

Noes: None.

Absent and not voting: Abrahamson, Ballard, Barry, Bonine, Brown, Burke, Burns, Chatham, Cheadle, Cooney, Curran, Darlington, Doran, Dunn, Foot, Fulsher, Green of Dawson, Hagerty, Johnson, Jones of Phillips, Jones of Ravalli, Kelly, Knight, Knowles, Moulton, Nelson, Shields, Stambaugh, Steeves, Throssel, Troy, Warren, Westlake. Total—33.

The Committee on Printing reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills No. 14 and 39 as correctly printed.

MOSS, Vice-Chairman."

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that House resolve itself into Committee of the Whole for consideration of General Orders.

Mr. White in the chair.

The committee arose.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration, House Bill No. 10 and House Bill No. 21, respectfully report as follows: That House Bill No. 10 be amended as follows: In Section 1, by striking out in line 13 the word "interstate" and by inserting in lieu thereof the word "intestate." and that as so amended said House Bill No. 10 do pass. On motion Committee arose and reported.

WHITE, Chairman."

On motion of White, report adopted.

On motion of Nagle, there being no objections, House reverted to Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Burke, Nagle, Dunn and Lillis: A Bill for an Act entitled: "An act to amend and re-enact Sections 5117, 5118, 5119, 5120, 5121, 5123, 5124, 5126, 5127, 5128, 5129, 5130, 5131, 5132, 5133, 5134, and 5135 of the Revised Codes of Montana 1921, relating to firemen's disability fund, and disability and pension fund of fire department relief associations, and repealing Section 5122 of the Revised Codes of Montana 1921.

Moved by Bricker, duly seconded and carried, that according to the motion made over a week ago by Leavens, that the House now adjourn until 11:00 A. M., Monday, January 24, 1927.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

TWENTY SECOND DAY

House of Representatives,
Helena, Montana, January 24, 1927.

House convened pursuant to adjournment at 11:00 A. M.

Mr. Speaker in chair.

Prayer by Chaplain.

On roll call all present, except: Benjamin, excused; Fulsher, excused on account of illness; Hagerty, excused; Johnson, excused; Jones of Cascade, absent; Kelly, excused on account of illness; Ryder, absent; Troy, absent.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Eighteenth Legislative Day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlinton, report adopted.

COMMUNICATIONS AND PETITIONS

The following communication was read:

Helena, Montana, January 25th, 1927.

"Speaker of the House of Representatives, Capitol Building, Helena, Mont.

Mr. Speaker: You are respectfully requested to announce that the forty and eight of the American Legion of Helena are giving a big dance with special entertainment features Tuesday evening, January twenty fifth and all members of your honorable body are cordially invited, tickets for this entertainment will be one dollar per couple and twenty five cents for extra lady.

Respectfully yours,

A. N. J. DOLAN, Chairman."

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Burns: A Bill for an Act entitled: "An Act to amend Section 8868 of the Revised Codes of the State of Montana of 1921, relating to cases in which a judge may be disqualified, providing for the calling in of another judge, and providing for the time in which to file affidavits of disqualification."

By Tierney: A Bill for an Act entitled: "An Act to invest the Public Service Commission of Montana with authority to investigate, compile and publish data and elements affecting or entering into the cost of lubricating oils and motor gasoline within the State of Montana; requiring dealers therein to file cost data with said commission; and providing penalties for a violation of this Act."

By Throssel: A Bill for an Act entitled: "An Act authorizing the completion of a certain number of pictures for the Law Library under the direction of the State Board of Examiners and providing an appropriation for same."

By Westlake: A Bill for an Act entitled: "An Act to amend Section 4863 of the Revised Codes of Montana, 1921, relating to Justices of the Peace."

By Adair: A Bill for an Act entitled: "An Act relating to injuries occasioned by the negligent operation of motor vehicles, and relating to the liability of the owner of such vehicle therefor."

By Reed: A Bill for an Act entitled: "An Act to amend Section 1755, Revised Codes of Montana, 1921, as amended by Chapter 107, Laws of the Eighteenth Legislative Assembly, 1923, and Chapter 177, Laws of the Nineteenth Legislative Assembly, 1925."

By Plumer: A Bill for an Act entitled: "An Act to amend Section 4465 Revised Codes of Montana 1921, as amended by Chapter 95 of the Laws of the Eighteenth Legislative Assembly, relating to the General and Permanent powers of the Board of County Commissioners."

By Rognlien: A Bill for an Act entitled: "An Act amending Section 4926 of the Revised Codes of Montana of 1921, relating to the fees of Justices of the Peace in criminal actions, by providing for fees for filing complaint and issuing warrant of arrest."

By Marshall: A Bill for an Act entitled: "An Act to amend Section 1139 Revised Codes of Montana, 1921, by providing that one notice by truant officer to parent or guardian or other person in charge of the child during any school year shall be ample, and that any subsequent violation of the law by said parent or guardian during that year shall make the said parent or guardian in charge of the child liable to the penalties prescribed in this Act."

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

"Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs having had under consideration House Bill No. 63, introduced by Foot, respectfully report as follows: That House Bill No. 63 be amended as follows:

By striking out the word "life" in the last line of Section 1, and substituting in lieu thereof the words "ninety-nine years."

With the above amendments, we respectfully recommend that it do pass.

KROMAN, Chairman."

On motion of Kroman, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 51, introduced by Rognlien, respectfully report as follows: That House Bill No. 51, do not pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Insurance, having had under consideration, House Bill No. 2, introduced by Besancon, respectfully report as follows: That House Bill No. 2, do not pass.

SAMPLE, Chairman."

On motion of Sample, report adopted.

"Mr. Speaker: Your Committee on Printing respectfully report House Bills No. 3, Sub. 5, 30, 33, 34, 41, 43, 44, 54, 58, 60, 64, 65, 66, 67, 68, 72 and House Resolution No. 1 as correctly printed.

MOSS, Vice Chairman."

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bill was introduced, read at length and referred to Appropriations Committee:

House Bill No. 89, by Leavens, (by request): A Bill for an Act entitled: "An Act appropriating money for the purchase of pictures from the Historic Collection of L. A. Huffman, of scenes of the pioneer days of Montana, to be placed in the Historical and Miscellaneous Library.

The following bills were introduced, read first and second times by title only and referred to standing committees:

House Bill No. 90, by Foot: A Bill for an Act entitled: "An Act transferring the balance of the State Law Enforcement Fund remaining in the State Treasury to the Department of the Attorney General; creating the law enforcement fund of the Attorney General's Department and providing the purpose and use of such fund." Referred to State Boards and Officers Committee.

House Bill No. 91, by Committee on Horticulture: A Bill for an Act entitled: "An Act to amend Chapter 144 of the Session Laws of the 19th Legislative Assembly of Montana of 1925 relating to the State Horticultural Revolving Fund." Referred to Horticulture Committee.

House Bill No. 92, by Cheadle: A Bill for an Act entitled: "An Act to amend Section 4465 of the Revised Codes of Montana of 1921, relating to the general and permanent powers of the Boards of County Commissioners." Referred to Ways and Means Committee.

House Bill No. 93, by Besancon: A Bill for an Act entitled: "An Act to amend Section 1617 of the Montana Revised Codes of 1921, relating to county road tax levy and exempting therefrom certain rural improvement districts." Referred to Townships and Counties Committee.

House Bill No. 94, introduced by Donaldson and Dellwo: A Bill for an Act entitled: "An Act to amend Section 4741 of the Revised Codes of Montana of 1921, relative to classification of counties." Referred to Townships and Counties Committee.

House Bill No. 95, introduced by Burke, Nagle, Dunn and Lillis: A Bill for an Act entitled: "An Act to amend and re-enact Sections 5117, 5118, 5119, 5120, 5121, 5123, 5124, 5126, 5127, 5128, 5129, 5130, 5131, 5132, 5133, 5134, and 5135 of the Revised Codes of Montana of 1921, relating to firemen's disability fund, and disability and pension fund of Fire Department Relief Associations, and repealing Section 5122 of the Revised Codes of Montana 1921." Referred to Affairs of Cities Committee.

Senate Bill No. 6, introduced by Ruffcorn: A Bill for an Act entitled: "An Act to amend Section 180 of the Revised Codes of Montana of 1921 as amended by Chapter 111, Acts of the 19th Legislative Assembly, relating to the interest on State Warrants." Referred to Revenue and Taxation Committee.

The following House Joint Memorial was introduced, read at length and referred to Constitutional Amendments Committee:

House Joint Memorial No. 1, introduced by Burke: "Petitioning Congress to propose to the legislatures of the several states of the Union an amendment to the constitution of the United States, amending, abrogating or modifying the Eighteenth Amendment thereof in such manner as shall enable congress to provide for and control the manufacture of all distilled alcoholic and all malted alcoholic liquors manufactured in or imported into the United States, and the sale and dispensation thereof."

MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that House Joint Resolution No. 1, introduced by Tierney, be considered printed one day and placed on General Orders.

COMMUNICATIONS FROM THE GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, January 20, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 6, introduced by Ruffcorn: A Bill for an Act entitled: "An Act to amend Section 180 of the Revised Codes of Montana of 1921 as amended by Chapter 111, Acts of the Nineteenth Legislative Assembly, relating to the interest on State Warrants," was this day read three several times and passed, title agreed to, and is herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 20, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following appointment by the Governor was this day confirmed: 40 voting aye, 10 voting no, 6 absent.

"The President of the Senate,
Senate Chamber,
Helena, Montana.

I hereby nominate and by and with the consent of the Senate do appoint E. C. Carruth, Havre, Hill County, to be a member of the State Board of Equalization for the term of six years, beginning March 1, 1927.

J. E. ERICKSON, Governor.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, January 20, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notice of Introduction of Bills was this day given:

By Survant and Wuerthner: "An Act providing for the alteration of boundaries of incorporated cities and towns, and the exclusion of territory from the corporate limits thereof; granting power to the councils of such cities and towns to enact resolutions for that purpose; and providing for the payment of any outstanding bonded or other indebtedness of such excluded portion."

Respectfully,

J. F. CONE, Secretary of Senate.

Moved by Bricker, duly seconded and carried, that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

"I hereby give notice that I will on tomorrow make a motion that all bills on third reading be read by history, title and section number only."

BRICKER.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that House resolve itself into Committee of the Whole for consideration of General Orders.

Mr. Nelson in the chair.

Committee arose.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 21, 17, 14, 39, and House Joint Resolution No. 1, respectfully report as follows: That

House Bill No. 21 do not pass.

House Bill No. 17 pass for the time.

House Bill No. 14 do pass.

House Bill No. 39 do pass.

House Joint Resolution No. 1 do pass.

NELSON, Chairman."

Moved by Nelson, duly seconded and carried, that the report of the Committee of the Whole be adopted.

Moved by Dougherty, as a substitute motion, duly seconded, that House Bill No. 14 be segregated.

Question arising on substitute motion, roll call having been demanded, the motion was lost by the following vote:

Ayes: Abrahamson, Benson, Bricker, Budas, Clarke, Curran, Dougherty, Harris, Jameson, Larson, Leavens, Lillis, Logan, Marshall, Merritt, Moss, Plumer, Ryder, Sparling, Sutton, Troy, Waite, Willard. Mr. Speaker. Total—24.

Noes: Adair, Akofer, Arnold, Ballard, Benjamin, Barry, Besancon, Bonine, Bretzke, Brown, Burke, Burns, Chatham, Cheadle, Clausen, Cooney, Darlington, Dellwo, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green of Fergus, Green of Dawson, Gustafson, Hardcastle, Hodgskiss, Holton, Jensen, Jones of Phillips, Jones of Cascade, Knight, Knowles, Kroman, Lamb, Leavitt, Lowry, McCleary, McLeod, Mason, Miller of Fergus, Miller of Lincoln, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Stambaugh, Thorburn, Throssel, Tierney, Tinsley, Warren, Westlake, White, Woodcock. Total—71.

Absent and not voting: Cavanaugh, Fulsher, Hagerty, Johnson, Jones (Ravalli), Kelly, Steeves. Total—7.

Question arising on original motion, same carried.

On motion of Flachsenhar, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried that House Joint Resolution No. 1 be considered properly engrossed and placed on third reading.

On motion of Flachsenhar, there being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

House Joint Resolution No. 1, introduced by Tierney, having been read three several times, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Sparling, Stam-

baugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—96.

Noes: None.

Absent and not voting: Chatham, Fulsher, Hagerty, Johnson, Kelly, Shields. Total—6.

Mr. Speaker appointed the following as members of a committee to investigate the cause of the gasoline prices in Montana: Leavitt of Custer, chairman; Bretzke of Valley, O'Day of Cascade.

On motion of Leavitt, there being no objections, House reverted to Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Lowry: A Bill for an Act entitled: "An Act amending Section 4464 of the Revised Codes of Montana, 1921, fixing the compensation which the County Commissioners may receive, of the several counties of the State of Montana."

By Leavitt: A Bill for an Act entitled: "An Act to amend Section 9361 of the Revised Codes of Montana, 1921, relating to general and special verdicts, and to repeal all Acts and parts of Acts in conflict therewith."

By Leavitt: A Bill for an Act entitled: "An Act to amend Section 5035 of the Revised Codes of Montana, 1921, relating to the rights of city councils to transfer money from one fund to another fund of said city."

By Rockwood and Hodgskiss: A Bill for an Act entitled: "An Act to amend Sections 1266, 1267 and 1270 of the Revised Codes of Montana, 1921, relating to Board of Trustees of County High Schools, composition thereof, appointment and term of office of trustees; by whom and when appointed, and beginning of term of office and residence; organization of the Board of Trustees and time thereof, officers of Board and term of office, and who to be treasurer of the Board and custodian of the funds thereof."

On motion of Burns, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 29, introduced by Mulholland, respectfully report as follows: That House Bill No. 29 be reported back without recommendation and be re-referred to the Committee on Appropriations.

WAITE, Chairman."

On motion of Waite, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 11, introduced by Leavitt, respectfully report as follows: That House Bill No. 11 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 38, introduced by Leavitt, respectfully report as follows: That House Bill No. 38 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 32, introduced by Burns, respectfully report as follows: That House Bill No. 32 do not pass, but that substitute for

House Bill No. 32: A Bill for an Act entitled: "An Act to amend Sections 9442 and 9444 of the Revised Codes of the State of Montana of 1921, relating to the redemption of real property from execution sales; providing who may be redemptioners thereof, and providing when the judgment debtor, or his wife, or redemptioner may redeem," do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

The following report relating to House Bill No. 4 was received:

Moved by Besancon, duly seconded and carried, that the amendments to this bill be considered read at length and the Journal so show.

"Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 4, introduced by Besancon and Marshall, respectfully report as follows: That House Bill No. 4 be amended as follows:

In section 1, line 3, page 2, strike out word "save" and insert word "thrift."

In Section 5, line 14, page 4, strike out the word "admission" and insert the word "membership." In the same section, lines 17, and 18, page 4, strike out the words "shall be of equal length" and also the word "and" following the word "directly."

In Section 6, line 5, page 4, strike out the word "and" following the word "subscribed" and insert the words "and not less than \$2500.00." After the word "paid" insert the word "in."

In Section 8, line 2, page 6, insert after the word "office" the words "except as herein provided or." Strike out "unless."

In Section 10, line 9, page 7, strike out words "lieu thereof" and insert the words "addition thereto."

The following sub-division 8, Section 12, beginning with line 46, page 9, add the following: "provided, however, that withdrawals are not to be paid until outstanding contracts have been provided for, and then only in the order in which the application for withdrawals are registered on the books of the Association, and only to the extent that funds are available from collections made by an Association until the withdrawals registered have been paid."

Subdivision 17, Section 12, line 129, page 11, add word "all" after the word "of."

In subdivision 17, lines 131, 132, page 12, strike out the letters "after" in the word "hereinafter," also strike out the words "as the Constitution and By-laws may prescribe;" also strike out the parenthesis appearing in Subsection 17.

In Subsection 18 of Section 12, lines 134, 135 and 136, place a semicolon after the word "directors." Line 134, strike out the words "by changing the number or par value of its shares of capital stock" and inserting the word "to" in place of "by" and strike out the letters "ing" in the words "increasing" and also "decreasing" in such line 136.

Section 12, page 8, line 17, strike out the word "one" and insert in lieu thereof the word "association."

Section 16, lines 1 to 11, page 13, should be entirely stricken out as such provisions were replaced by the new part added following sub. 8, Section 12.

Section 17, line 1, page 13, by adding the words "Agent" and "employee" in paragraph title of Section 17.

Section 19, line 6, page 15, by striking out the words "outstanding loans" and insert the words "book value of the stock."

Line 8, Section 19, by striking out the words "loans" and again insert the words "book value of the stock."

Section 22, line 3, page 16, strike out the word "forty" and insert the word "twenty."

Section 23, line 7, page 17, strike out the word "forty" and insert the word "twenty." In the same sections lines 12 and 13 by striking out the words "in the paper which does the county printing of the county in which said association is located," and in lieu thereof add the following "in the newspaper published in the town in which the association is located, or if no newspaper is published in the town in which association is located, then in one published nearest thereto in the same county, and such proof of publication shall be furnished at such times and in such manner as may be required by the Superintendent of Banks."

Section 24, line 7, page 17, by adding the following to such section: "And the expense of the examiner making such examination, including living expenses and transportation, together with a fee of Fifteen Dollars (\$15.00) per day for each day actually consumed in the examination shall be paid by the association examined, and the examiner's finding to be available to the petitioners and the board of directors of the association notwithstanding any provision to the contrary contained in this Act. Provided further, that such fee and expense when so collected shall be deposited with the State Treasurer for reappropriation to the current departmental appropriation of this department."

Because of striking out Section 16, the sections in the House Bill should be renumbered from Sections 15 to 25 and a new section added to this point to be marked, Section 25, the same being suggested by the Superintendent of Banks and reading as follows: "Every Building and Loan Association shall make to the Superintendent of Banks a report of condition whenever requested to do so by the Superintendent of Banks, according to the form which may be prescribed by him, verified by the oath or affirmation of the president, vice-president, or secretary of such association, and attested by the signature of at least two of the directors, each such report shall exhibit in detail and under appropriate heads, the resources and liabilities of the association at the close of business or any past day by him specified; and shall be transmitted to the Superintendent of Banks within five days after the receipt of a request or requisition therefor from him and in such form as may be required by the Superintendent of Banks it shall be published as soon as possible in a newspaper published in the place where such association is established, or if there be no newspaper published in the place, then in one published nearest thereto in the same county, at the expense of the association; and such proof of the publication shall be furnished at such times and in such manner as may be required by the Superintendent of Banks."

Section 28, page 18, line 4, by adding the words, after the word treasurer, "for the State Examiner's Fund."

Section 35, page 20, line 3, strike out the word "or" and in lieu thereof insert the word "and."

Section 36, page 21, line 8, strike out the word "or" and in lieu thereof insert the word "and."

Section 37, page 22, line 5, by adding the words "to the Governor" after the word "report."

Section 40, strike out the word "face" after the word "and" and insert the word "book."

Section 47, page 25, line 4, by placing a period after the word "deposit" and striking out the words "without issuing shares of stock for the same."

Section 51, page 28, line 10, by adding the following after the word repealing, "provided however that each and all of the provisions of said acts or any one of them will not invalidate or affect any contract entered into by any such association or affect any obligation from or to such association which exists or have accrued prior to the passage and approval of this Act and such are continued in full force and effect and may be enforced according to the provisions of the laws existing when the same accrued."

By adding the following after Section 52, "if any section, sentence, clause, or phrase of this Act is for any reason held to be unconstitutional or invalid such decision shall not affect the validity of the remaining portions of the same"

"The Legislative Assembly of the State of Montana hereby declares that it would have passed this Act irrespective of the fact that any one or more sections, sentences, clauses, or phrases may be declared unconstitutional or invalid."

By changing the number of Section 52 as it appears in the Bill to Section 53, and that as so amended said House Bill No. 4 do pass.

WAITE, Chairman."

On motion of Waite, report adopted.

MOTIONS AND RESOLUTIONS

Moved by Willard, duly seconded and carried, that the Speaker appoint a sick committee, consisting of three members of the House.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:30 A. M., January 25, 1927.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

TWENTY-THIRD DAY

House of Representatives,
Helena, Montana, January 25, 1927.

House convened pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the twenty-second legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

On roll call all present except: Fulsher, excused on account of illness; Kelly, excused on account of illness.

COMMUNICATIONS AND PETITIONS

The following petition, with 91 signatures attached, was received and read:

"To the Honorable Speaker and Members of the House of Representatives of the Twentieth Session of the Montana Legislature:

"Inasmuch as notice has been given in the House of Representatives of the Montana Legislature that a joint memorial petitioning the Congress of the United States to submit to the several State Legislatures an amendment to the Federal Constitution, amending, abrogating, or modifying the Eighteenth Amendment to the Constitution of the United States, we the undersigned citizens most earnestly petition and request you to reject this memorial which would make Montana a leading State in attacking this important amendment to the Constitution of the United States."

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Dellwo: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 5,

Article XI, of the Constitution of the State of Montana relating to the apportionment of State School funds."

By Dellwo: A Bill for an Act entitled: "An Act to amend Section 1204 of the Revised Codes of Montana of 1921, relating to the apportionment of County School funds."

By Shields: A Bill for an Act entitled: "An Act defining the qualifications of police officers in the cities and towns in the State of Montana, providing for the creation of police reserves, specifying salary limits thereof, and specifying the limits of tax levies therefor."

By Cavanaugh: A Bill for an Act entitled: "An Act to diminish the legal effect of contributory negligence and to apportion damages to persons or property in all actions based on negligence and to repeal all Acts and parts of Acts in conflict with the provisions hereof."

By Sample: A Bill for an Act entitled: "An Act relating to the return of sale of real estate under a decree of court, and providing the manner of recording such return."

By Sample: A Bill for an Act entitled: "An Act amending Section 4919 of the Revised Codes of the State of Montana for 1921, relating to the fees of the Clerk of Court in probate proceedings."

By Knight: A Bill for an Act entitled: "An Act to amend Section 8931 of the Revised Codes of the State of Montana of 1921, amending said section relative to fees allowed District Court Stenographers for transcripts."

Mr. Speaker announced the appointment of the sick committee as follows: Dougherty of Ravalli, chairman; Rockwood of Flathead, Shields of Cascade.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 14 and House Bill No. 39.

THORBURN, Vice-Chairman."

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 79, introduced by Sparling, respectfully report as follows: That House Bill No. 79 do not pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 88, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 88 be amended as follows:

By adding to Section 1, after Subdivision 3 of the appropriation for the Historical Library the following:

(4) Binding newspapers and periodicals, One Thousand Two Hundred Twenty-five Dollars\$1,225.00

"Also by adding to Section 2 after Subdivision 3 of the appropriations for the Historical Library the following:

(4) Binding newspapers and periodicals, One Thousand Two Hundred Twenty-five Dollars\$1,225.00

Recommended that the said bill after so amended do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 91, introduced by Committee on Horticulture, respectfully report as follows: That House Bill No. 91 do pass.

MARSHALL, Chairman."

On motion of Marshall, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND
SECOND READING OF SAME

The following bills were introduced, read first and second time by title only, and referred to standing committees:

House Bill No. 96, introduced by Leavitt: A Bill for an Act entitled: "An Act to amend Section 5035 of the Revised Codes of Montana, 1921, relating to the rights of city councils to transfer money from one fund to another fund of said city." Referred to Affairs of Cities Committee.

House Bill No. 97, introduced by Leavitt: A Bill for an Act entitled: "An Act to amend Section 9361 of the Revised Codes of Montana, 1921, relating to general and special verdicts, and to repeal all Acts and parts of Acts in conflict therewith." Referred to Judiciary Committee.

House Bill No. 98, introduced by Burns: A Bill for an Act entitled: "An Act to amend Section 8868 of the Revised Codes of the State of Montana of 1921, relating to cases in which a Judge may be disqualified, providing for the calling in of another Judge, and providing for the time in which to file affidavits of disqualification." Referred to Judiciary Committee.

House Bill No. 99, introduced by Plumer: A Bill for an Act entitled: "An Act to amend Section 4465 of the Revised Codes of Montana 1921, as amended by Chapter 95, Laws of the Eighteenth Legislative Assembly, relating to the general and permanent powers of the Board of County Commissioners." Referred to Township and Counties Committee.

House Bill No. 100, introduced by Westlake: A Bill for an Act entitled: "An Act to amend Section 4863 of the Revised Codes of Montana, 1921, relating to Justices of the Peace." Referred to Judiciary Committee.

House Bill No. 101, introduced by Rockwood and Hodgskiss: A Bill for an Act entitled: "An Act to amend Sections 1266, 1267, and 1270 of the Revised Codes of Montana, 1921, relating to Board of Trustees of county high schools, composition thereof, appointment and term of office of trustees; by whom and when appointed, and beginning of term of office and residence; organization of the Board of Trustees and time thereof, officers of board and term of office, and who to be treasurer of the board and custodian of the funds thereof." Referred to Committee on Education.

House Bill No. 102, introduced by Tierney: A Bill for an Act entitled: "An Act to invest the Public Service Commission of Montana with authority to investigate, compile and publish data and elements affecting or entering into the cost of lubricating oils and motor vehicle gasoline within the State of Montana; requiring dealers therein to file cost data with said commission; and providing penalties for a violation of this Act." Referred to Ways and Means Committee.

House Bill No. 104, by Marshall: A Bill for an Act entitled: "An Act to amend Section 1139 Revised Codes of Montana, 1921, by providing that one notice by truant officer to parent or guardian or other person in charge of the child during any school year shall be ample, and that any subsequent violation of the law by said parent or guardian during that year shall make the said parent or guardian in charge of the child liable to the penalties prescribed in this Act." Referred to Education Committee.

House Bill No. 105, introduced by Rognlien: A Bill for an Act entitled: "An Act amending Section 4926 of the Revised Codes of Montana of 1921, relating to the fees of Justices of the Peace in criminal actions, by providing for fees for filing complaint and issuing warrant of arrest." Referred to Judiciary Committee.

The following bill was introduced, read at length and referred to Appropriations Committee.

House Bill No. 103, introduced by Throssel: A Bill for an Act entitled: "An Act authorizing the completion of a certain number of pictures for the Law Library under the direction of the State Board of Examiners and providing an appropriation for same."

The following Joint Resolution was introduced, read at length and referred to State Institutions, Public Buildings and Grounds Committee.

House Joint Resolution No. 3, introduced by Cavanaugh: "Providing for a permanent selection of a site for the permanent Commemorative Memorial to the Lewis and Clark Expedition."

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 10.

GREEN of Dawson, Chairman."

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that hereafter all bills on third reading be read by history, title and section number only, except appropriations bills; that any bill or section of a bill may be read, however, upon request.

Moved by Besancon, duly seconded and carried, that House Bill No. 17, now placed on General Orders, be taken from the top of General Orders and placed at the bottom of the list.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, January 24, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. B. No. 19, introduced by Ruffcorn, entitled: "An Act to amend Section 632 of the Revised Codes of Montana of 1921 as amended by Chapter 118, Acts of the Nineteenth Legislative Assembly, relating to the date of holding primary elections," was this day read third time and passed, title agreed to, and is herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 24, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Public Morals, having had under consideration House Bill No. 22, report that same be amended as follows: That title be amended by adding the words "and defining intoxicating liquor."

That Section 1 be amended in line 15 by striking out the words "One Thousand" and inserting in lieu thereof the words "Five Hundred," and that line 16 be amended by striking out the word "two" and inserting the word "one;" and the section be further amended by adding at the close of section the following words: "Nothing herein contained shall prohibit the furnishing of intoxicating liquor to minors upon any physician's prescription where authorized by the laws of the United States nor the furnishing of wine for sacramental purposes."

Add Section 2, as follows: "When used in this Act, or in any other laws of the state relating to intoxicating liquors, the word "liquor" or the phrase "intoxicating liquor" shall be construed to include alcohol, brandy, whiskey, rum, gin, beer, ale, porter, and wine, and in addition thereto any spirituous, vinous, malt, or fermented liquor, liquids, and compounds, whether medicated, proprietary, patented or not, and by whatever name called, containing more than one-half of one per centum or more of alcohol by volume which are fit for use for beverage purposes, provided, that the foregoing definition shall not extend to dealcoholized wine, nor to any beverage or liquid produced by the process by which beer, ale, porter, or wine is produced, if it contains less than one-half of one per centum of alcohol by volume."

Renumber Section 2 and Section 3 to conform with new section, and, as so amended, that the bill be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 24, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day given:

By Kane, Garber and Taylor: 'An Act providing for the security of deposits in the banks organized or existing under the laws of Montana creating the Bank Depositors' Guarantee Fund and the Bankers' Conservation Fund of Montana and creating the Guarantee Fund Commission of Montana; providing for receivers, and receiverships; providing regulations therefor; and penalties for violation thereof, and to be known as the Bank Depositors' Guarantee Law of Montana.'

By Paul: "An Act to regulate and license manufacturers, dealers, distributors, purveyors and sellers of gasoline, kerosene, distillate, lubricating oil or grease, road oil, fuel oil and oil and grease for boilers, providing a license for the right to engage in said business within the State of Montana, and fixing fees therefor; requiring all such commodities to meet tests in this act prescribed and provided; providing for the posting of notices of the grade and character of the commodity sold; providing for the inspection of such commodities when dangerous to life, and originating in points outside the State of Montana and shipped therein; permitting manufacturers, dealers, and distributors the right to adopt and register a trade name and forbidding infringements thereof; recognizing that said commodities have become affected with a public interest and are devoted to a public use, and providing that the public service commission of Montana may fix reasonable maximum prices for said commodities and prohibiting discrimination in the distribution thereof, and clothing said Commission with power to compel dealers in said commodities to meet representations and advertisements with respect thereto and to prescribe suitable and accurate meters and measuring devices for the sale thereof, fixing penalties for the enforcement of this Act, fixing penalties for the violation of this Act, and investing the Public Service Commission of Montana with the enforcement and administration thereof, and making thereto the provisions of law now existing relating to complaints before said Commission, decisions there and appeals therefrom; and repealing Sections 4193, 4194, 4195, 4196, 4197, 4198, 4199, 4200, 4201, 4202, 4203, 4204, 4205, 4206, 4207, 4208, Revised Codes of Montana 1921."

By Dowlin: "An Act providing for the valuation and assessment of property for assessment and taxation in the year 1927, and every two years thereafter."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 24, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times and referred to the standing committees:

Senate Bill No. 24, introduced by Wuerthner and Survant: "An Act providing for the alteration of boundaries of incorporated cities and towns, and the exclusion of territory from the corporate limits thereof; granting power to the councils of such cities and towns to enact resolutions for that purpose; and providing for the payment of any outstanding bonded or other indebtedness of such excluded portion." Finance and Claims Committee.

Senate Bill No. 25, introduced by Pauline by request: "An Act to amend Section 5039 of the Revised Codes of Montana of 1921, as amended by Chapter 115, of the Session Laws of the Nineteenth Legislative Assembly, relating to powers of City Councils by adding thereto a new subsection to be known as "Subsection 84" giving the city or town council power

to acquire lands by purchase, gift or condemnation, either within or without the corporate limits of the municipality, for landing fields for aircraft, and conferring municipal jurisdiction over the same." Counties and Towns Committee.

Senate Bill No. 26, introduced by Goodman: "An Act to repeal Section 1075 of the Revised Codes of Montana of 1921, relating to the tenure of office of teachers." Education Committee.

Senate Bill No. 27, introduced by Survant: "An Act relating to the sale of real property for delinquent taxes, and to amend Sections 2217, 2218, 2219, 2220, 2221, 2231, 2232, and 2233 and to repeal Sections 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2201, 2202, 2204, 2205, 2206, 2207, 2208, 2209, 2212, 2213, 2214, 2215, 2216, 2224, 2225, 2229, 2230, 2234, and 2235 of the Revised Codes of Montana of 1921, with the amendments thereto; and providing a method for the compromise of taxes, penalties and interest on real property delinquent for taxes, authorizing County Commissioners, in certain cases, to sell such real property to bona fide buyers for restoration to the assessment rolls, and to authorize County Commissioners to lease such land." Taxation Committee.

Respectfully.

J. F. CONE, Secretary of Senate."

On motion of Troy, there being no objections, House reverted to Order of Business No. 21.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Jones of Phillips, Troy, Green of Fergus, Sutton, Steeves, Nelson, Donaldson, Leavitt, Gustafson, Bonine, and Dellwo: A Bill for an Act entitled: "An Act to permit real property to be redeemed from tax sale at any time prior to November 1st, 1928, by paying the original tax and interest thereon."

THIRD READING OF HOUSE BILLS

House Bill No. 14, by Adair, having been read three several times, title and history agreed upon was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer Arnold, Ballard, Benjamin, Barry, Bonine, Bretzke, Bricker, Brown, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clausen, Cooney, Darlington, Dellwo, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Leavens, Leavitt, Logan, Lowry, McCleary, McLeod, Mason, Meritt, Miller (Fergus), Miller of Lincoln, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Rife, Rockwood, Rognlien, Sample, Shields, Stambaugh, Steeves, Thorburn, Throssel, Tinsley, Waite, Warren, Westlake, White. Total—77.

Noes: Besancon, Budas, Clarke, Curran, Dougherty, Jameson, Larson, Lillis, Marshall, Moss, Plumer, Rorvik, Ryder, Sparling, Sutton, Tierney, Troy, Willard, Mr. Speaker. Total—19.

Absent and not voting: Benson, Fulsher, Hagerty, Kelly, Reed. Total—5.

Present and not voting: Woodcock. Total—1.

House Bill No. 39, introduced by Jameson, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bretzke, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ra-

valli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—97.

Noes: None.

Absent and not voting: Bonine, Burns, Fulsher, Hagerty, Kelly. Total—5.

House Bill No. 10, introduced by Leavitt, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Breztko, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—97.

Noes: None.

Absent and not voting: Fulsher, Hagerty, Jones (Ravalli), Kelly, Reed. Total—5.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the following restrictions: Proponents and opponents of bills to be given ten minutes and others five minutes; for discussion on amendments, proponents and opponents five minutes and others three minutes with no trading of time.

Mr. Willard in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration, House Bill No. 3, Substitute for House Bill No. 5, House Bill No. 30, House Bill No. 33, and House Bill No. 34, respectfully report as follows: That House Bill No. 3 be amended as follows:

Section 3, by inserting between the blank line on line 43 and line 44 of the printed bill, the following: 'Subscribed and sworn to before me thisday of19....., and by adding another blank line for signature of officer administering the oath.

Section 4, by substituting for the word "Elector" in line 6, the word "Applicant."

Section 4, by striking out in line 6 of the printed bill, the word "each" and inserting in lieu thereof the word "such," and that as so amended said House Bill No. 3 do pass.

Substitute for House Bill No. 5 do pass.

House Bill No. 30 do pass.

House Bill No. 33 do pass.

House Bill No. 34 do pass.

On motion, committee arose and reported progress with leave to sit again.

WILLARD, Chairman."

On motion of Willard, report adopted.

Moved by Bricker, duly seconded and carried, that House recess until 2:30 P. M.

AFTERNOON SESSION

House resumed at 2:30 P. M.

Mr. Speaker in the chair.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House resolve itself into Committee of the Whole for consideration of General Orders, the same rules to apply as per motion passed this morning in regard to third reading of House Bills.

Mr. Willard in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration, House Bill No. 41, House Bill No. 43, House Bill No. 44, House Bill No. 54, House Bill No. 58, House Bill No. 60, House Bill No. 64, House Bill No. 65, House Bill No. 66, House Bill No. 67, House Bill No. 68, and House Bill No. 72, respectfully report as follows: That House Bill No. 41 be amended by striking out the enacting clause.

House Bill No. 43, be amended as follows: Section 1, by striking out in line nine of the printed bill the word "public" and inserting after the word "schools" in the same line the words "of this state."

Section 1. By inserting at the end thereof the following "provided however that any person who has served at least one term as county superintendent of schools in this state shall be deemed qualified under this act.

Section 1. By striking out in line 6 of the printed bill the words "a student" and inserting in lieu thereof the words "an accredited" and that as amended said House Bill No. 43 do pass.

House Bill No. 44, be amended as follows: Section 3. By striking out Section 3 and that as so amended said House Bill No. 44 do pass.

House Bill No. 54, be amended as follows: Section 6. By striking out all of Section 6, and that as so amended said House Bill No. 54 do pass.

House Bill No. 58, be amended as follows: Section 3, by striking out all of Section 3, and that as so amended said House Bill No. 58 do pass.

House Bill No. 60, be amended as follows: Section 3. By striking out all of Section 3 and that as so amended said House Bill No. 60 do pass.

House Bill No. 64 be amended as follows: Section 1. By striking out in line 22 the words "Two Hundred and Fifty Dollars (\$250.00)" and inserting in lieu thereof the words "Five Hundred Dollars (\$500.00)"; also amend Section 1 by striking out lines 23, 24, 25, 26, 27, 28; also amend Section 1 by striking out line 16 and 17 and inserting in lieu thereof the words "for operation and maintenance of the Governor's mansion \$3420.00;" also amend Section 1 by adding to Section 1, after subdivision 3 of the appropriation for the Superintendent of Public Instruction the following:

High School Inspection. Salaries of Inspectors and Traveling Expenses, Three Thousand Five Hundred Dollars (\$3,500.00).

Rural School Inspector. Salaries of Rural School Inspectors and Traveling Expenses, Seven Thousand Dollars (\$7,000.00).

Section 2. By striking out in line 23 the words "Two Hundred and Fifty Dollars (\$250.00)" and inserting in lieu thereof the words "Five Hundred Dollars (\$500.00)" and by striking out lines 17 and 18 and inserting in lieu thereof the words "For operation and maintenance of the Governor's mansion, \$3420.00,"

Section 5. By striking out all of Section 5 and that as so amended said House Bill No. 64 do pass.

House Bill No. 65 do pass.

House Bill No. 66 do pass.

House Bill No. 67 do pass.

House Bill No. 68 do pass.

House Bill No. 72 be amended as follows: Section 1. By striking out lines 29, 30, 31 and 32 and inserting in lieu thereof the words "any person running as an independent candidate shall pay such fee as above provided for at the time of filing his certificate of nomination and any person receiving the nomination by having his name written in on the primary ballot shall pay such fee as above provided for within ten days after the election at which he receives such nomination. No candidate shall have his name printed on the official ballot for the general election without complying with the provisions of this section," also by insertnig at the end of line 27 after the word "conventions" the words "and Presidential electors," and that as so amended said House Bill No. 72 do pass.

On motion committee arose and reported.

WILLARD, Chairman."

On motion of Willard, report adopted.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:30 A. M., January 26, 1927.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

TWENTY FOURTH DAY

House of Representatives,
Helena, Montana, January 26, 1927.

House convened pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the Chair.

Prayer by the Chaplain.

On roll call all present except: Fulsher, excused on account of illness.

Journal Committee reported as follows:

"Mr. Speaker, your Committee on Journal, having examined the Journal for the Twenty Third Legislative Day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlinton, report adopted.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Stambaugh: A Bill for an Act entitled: "An Act providing for the establishing of a manufacturing plant for the purpose of manufacturing auto license number plates at the State Penitentiary at Deer Lodge, Montana."

By Bricker and Besancon: A Bill for an Act entitled: "An Act requiring all persons, copartnerships, firms, associations, joint stock com-

panies, syndicates and corporations engaged in, or carrying on, the business in this state of selling, handling, or using gasoline, to pay to the state treasurer certain license taxes for engaging in and carrying on such business in this state; fixing the amount of such license taxes; providing a method for the assessment, collection and disposition thereof; and prescribing penalties for the violation of this Act."

By Bricker and Besancon: A Bill for an Act entitled: "An Act providing a method by which a refund may be obtained for license taxes paid on gasoline, and prescribing the procedure for obtaining refunds; and prescribing the powers and duties of the State Treasurer and the State Board of Equalization in connection therewith; providing for penalties for making false statements in connection with applications for a refund."

By Bricker and Besancon: A Bill for an Act entitled: "An Act dividing the state into districts for the purpose of apportioning the expenditures for Highway construction purposes of the moneys arising from the gasoline dealers' and distributors' license tax provided for by law; prescribing the composition and boundaries of such districts and the percentage of uncompleted mileage of the Federal Highway system of good roads in each district, and the manner and place in which the said moneys shall be expended by the State Highway Commission for road construction purposes."

By Hodgskiss: A Bill for an Act entitled: "An Act to amend Section 11211 of the Revised Codes of Montana for 1921, relating to altering brands on livestock, so as to provide a penalty for branding livestock with any other brand than that of the true owner thereof, and for branding the increase of mortgaged livestock with any other brand than that of the true owner thereof."

By Hodgskiss: A Bill for an Act entitled: "An Act to amend Section 8385 of the Revised Codes of Montana for 1921, relating to the enforcement of agister's liens, so as to authorize the Sheriff to require an indemnity bond before making seizure and sale of the property aliened."

By Larson, Sparling, Tierney and Rorvik: A Bill for an Act entitled: "An Act to provide for the security of deposits in banks organized or existing under the Laws of Montana. Creating the Bank Depositors' Guarantee Fund and the Bankers' Conservation Fund of Montana and providing regulations therefor; creating the Guarantee Fund Commission of Montana; providing for receivers, regulating receiverships and providing penalties for the violation of this Act."

By Kroman, Hagerty, Darlington and Benjamin: A Bill for an Act entitled: "An Act to promote the safety of employees and passengers upon railroads by prescribing the number of men that shall constitute a train crew, and providing a penalty for the violation of this Act."

By Johnson and Nelstead: A Bill for an Act entitled: "An Act authorizing the establishment of industries by the State Board of Prison Commissioners at the Montana State Prison, providing that the products of State Industries shall not be sold in the open market nor compete with the products of free labor; making the Warden of the State Prison superintendent of all state industries under the supervision of the Board of Prison Commissioners; providing for the disposal of the products of said industries; creating a Prison Industries Revolving Fund and making a supplemental appropriation of money for the purpose of carrying this Act into effect."

By Moss, Rockwood, Foot and Rognlien: A Bill for an Act entitled: "An Act to reimburse Wilsie M. Cramer and Anna Cramer, his wife, for certain lands and water rights deeded to the State of Montana for the use of the Fish and Game Commission of the State of Montana, together with the certain easement for road and pipe line purposes and for rentals for the use of certain water and for damages sustained by the said Wilsie M. Cramer, together with interest on the various sums due the said Wilsie M. Cramer."

By Besancon and White: A Bill for an Act entitled: "An Act to amend Sections 256, 257, 258 and 259, Montana Revised Codes of 1921, relating to contracts by the Board of Examiners for supplies; also for the construction of buildings and the repair and improvement of buildings and grounds, advertising for proposals therefor, contents of notice, and method of awarding contracts."

REPORTS OF SELECT COMMITTEES

The following report was received from the Sick Committee:

"Mr. Speaker: We, your Committee on Sick, beg leave to report that we have made arrangements with the State Nursery here in Helena to have flowers delivered to Dr. Fulsher today.

DOUGHERTY, Chairman."

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills No. 3, 34, 33, Substitute for No. 5, and No. 30.

GREEN of Dawson, Chairman."

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 24, introduced by Troy, respectfully report as follows: That House Bill No. 24 do not pass.

CLARKE, Chairman."

On motion of Clarke, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 86, introduced by Nagle, Mason and Adair, respectfully report as follows: That House Bill No. 86, do not pass.

CLARKE, Chairman."

On motion of Clarke, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration, House Bill No. 94, introduced by Donaldson, and Dellwo, respectfully report as follows: That House Bill No. 94 do pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 49, introduced by Mason, respectfully report as follows: That House Bill No. 49 do not pass, but that substitute for House Bill No. 49, A Bill for an Act entitled: "An Act to amend Section 2235, Revised Codes of Montana, 1921, relating to sales by boards of county commissioners of property acquired by counties for delinquent taxes, and the distribution of the proceeds of such sales," do pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 59, introduced by Cheadle, respectfully report as follows: That House Bill No. 59 do not pass, but that substitute for House Bill No. 59, A Bill for an Act entitled: "An Act to amend Section 2235, Revised Codes of Montana, 1921, relating to sales by boards of county commissioners of property acquired by counties for delinquent taxes, and the distribution of the proceeds of such sales," do pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your committee on Ways and Means having had under consideration House Bill No. 52, introduced by Troy, Bonine, Dunn,

Abrahamson, Tierney, Fulsher and Prescott, respectfully report as follows: That House Bill No. 52 do pass.

TROY, Chairman."

On motion of Troy, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 8, introduced by Besancon, respectfully report as follows: That House Bill No. 8, do not pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your committee on Education having had under consideration House Bill No. 53, introduced by Abrahamson, Mulholland, Tierney, Burns, Jones of Phillips, Nelson, Johnson, Bretzke, Curran, Benson, Gustafson, Woodcock, Benjamin, Hodgskiss, Miller of Lincoln, Akofer, Sparling, Bonine, Troy, Burke, Bricker, Dellwo, Lowry, Plank, Lamb, Hagerty, Cavanaugh, Goodwin, Donaldson and Ryder, respectfully report as follows: That House Bill No. 53 be amended by: 1. Inserting in Section 1, line seven, immediately following the word "Dillon" and preceding the word "and" the words, "Eastern Montana State Normal School at Billings."

2. Inserting in Section 2, line sixteen, immediately following the word "Dillon" and preceding the word "or," the words, "Eastern Montana State Normal School at Billings."

3. Striking out Section 3 of the Bill, and that as amended the Bill do pass.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration Senate Bill No. 6, introduced by Ruffcorn, respectfully report as follows: That Senate Bill No. 6 be concurred in.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 40, introduced by Rognlien, respectfully report as follows: That House Bill No. 40 do not pass.

TROY, Chairman."

On motion of Troy, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 47, introduced by Cavanaugh, respectfully report as follows: That House Bill No. 47 do not pass.

TROY, Chairman."

On motion of Troy, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means having had under consideration House Bill No. 74, introduced by Troy and Throssel, respectfully report as follows: That House Bill No. 74 do pass.

TROY, Chairman."

Moved by Troy, duly seconded that the report be adopted.

Upon standing vote, which was demanded, the report was rejected.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second times by title only, and referred to standing committees:

House Bill No. 106, By Benjamin: A Bill for an Act entitled: "An Act to enable cities and towns to purchase, construct and develop an adequate supply of natural gas and to acquire or construct a system of gas lines for the distribution thereof and to distribute the same to the inhabitants of said city or town and vicinity." Referred to Affairs of Cities Committee.

House Bill No. 107, by Read: A Bill for an Act entitled: "An Act to amend Section 1755, Revised Codes of Montana, 1921, as amended by Chapter 107, Laws of the Eighteenth Legislative Assembly, 1923, and Chapter 177 Laws of the Nineteenth Legislative Assembly, 1925, relative to the Registrar of Motor Vehicles, his duties and functions, and clerical assistance for said registrar." Referred to State Institutions, Public Buildings and Grounds Committee.

House Bill No. 108, By Cavanaugh: A Bill for an Act entitled: "An Act to diminish the legal effect of contributory negligence and to apportion damages to persons or property in all actions based on negligence and to repeal all Acts and parts of Acts in conflict with the provisions hereof." Referred to Judiciary Committee.

House Bill No. 109, by Adair: A Bill for an Act entitled: "An Act relating to injuries occasioned by the negligent operation of motor vehicles, and relating to the liability of the owner of said vehicle therefor." Referred to Judiciary Committee.

Sub. for House Bill Nos. 49 and 59, By Townships and Counties Committee: A Bill for an Act entitled: "An Act to amend Section 2235, Revised Codes of Montana, 1921, relating to sales by Boards of County Commissioners of property acquired by counties for delinquent taxes, and the distribution of the proceeds of such sales." Referred to Printing Committee.

Senate Bill No. 19, By Ruffcorn: A Bill for an Act entitled: "An Act to amend Section 632 of the Revised Codes of Montana of 1921 as amended by Chapter 118, Acts of the Nineteenth Legislative Assembly, relating to the date of holding primary elections." Referred to Privileges and Elections Committee.

The following Bill was introduced by the Appropriations Committee without previous notice, read at length and referred to the Appropriations Committee:

House Bill No. 110, by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of certain of the boards, commissions and departments of the State of Montana for the period beginning July 1, 1927 and ending June 30, 1929."

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, January 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole this day report and recommend as follows:

That Senate Joint Resolution No. 2 do pass.

That Senate Bill No. 3 do pass.

That consideration of House Bill No. 22 be passed for the day.

Report adopted. Cowan, Chairman.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day given:

By Wuerthner: "An Act to amend Section 1010 of the Revised Codes of Montana, 1921, as amended by Chapter 70 of the Session Laws of the Eighteenth Legislative Assembly of 1923 and as further amended by Chapter 76 of the Session Laws of the Nineteenth Legislative Assembly of 1925, relating to transportation of pupils of any school district or districts of

the State of Montana and providing for furnishing rent and board for such pupils."

By Paul: "An Act to amend Section 8 of Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and to provide for the publication of delinquent tax list."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Rules, having had under consideration Senate Joint Resolution No. 3, report that same do not pass.

Also, that Rule 8 of the Senate be amended by adding the following: There shall be employed by the Senate a Clerk to be known as a Verification Clerk, who shall be an assistant to the Secretary of the Senate. After a bill has been properly enrolled, the Enrolling Clerk shall deliver the original bill, together with the enrolled bill, to such Verification Clerk and take his dated receipt therefor. It shall be the duty of the Verification Clerk to verify the enrolled bill with the history of the original bill and with the Journal of the Senate, and make his report to the chairman of the Enrolling Committee. The Chairman of the Enrolling Committee shall report all bills to the Senate, properly enrolled and duly verified.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times, and referred to the Standing Committees:

Senate Bill No. 28, By Paul: "An Act to regulate and license manufacturers, dealers, distributors, purveyors and sellers of gasoline, kerosene, distillate, lubricating oil or grease, road oil, fuel oil and oil and grease for boilers, providing a license for the right to engage in said business within the State of Montana, and fixing fees therefor; requiring all such commodities to meet tests in this Act prescribed and provided; providing for the posting of notices of the grade and character of the commodity sold; providing for the inspection of such commodities when dangerous to life, and originating in points outside the State of Montana and shipped therein; permitting manufacturers, dealers and distributors the right to adopt and register a trade name and forbidding infringement thereof; recognizing that said commodities have become affected with a public interest and are devoted to a public use, and providing that the Public Service Commission of Montana may fix reasonable maximum prices for said commodities and prohibiting discrimination in the distribution thereof, and clothing said commission with power to compel dealers in said commodities to meet representations and advertisements, with respect thereto and to prescribe suitable and accurate meters and measuring devices for the sale thereof, fixing penalties for the enforcement of this Act, fixing penalties for the violation of this Act, and investing the Public Service Commission of Montana with the enforcement and administration thereof, and making thereto the provisions of law now existing relating to complaints before said Commission, decisions thereby and appeals therefrom; and repealing Sections 4193, 4194, 4195, 4196, 4197, 4198, 4199, 4200, 4201, 4202, 4203, 4204, 4205, 4206, 4207, 4208, Revised Codes of Montana, 1921." Oils and Leases Committee.

Senate Bill No. 29, by Greenup: "An Act to repeal Section 11039 of the Revised Codes of Montana of 1921 relating to keeping open places of amusement on Sunday." Public Morals Committee.

Respectfully,

J. F. CONE, Secretary of Senate."

"Mr. Speaker: Your committee on Printing respectfully report House Bills No. 50 and 38 as correctly printed.

COONEY, Chairman..."

Moved by Bricker, duly seconded and carried, that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

THIRD READING OF HOUSE BILLS

House Bill No. 3, introduced by Besancon and Prescott, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Foot, Flachsenhar, Hagerty, Harris, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Knight, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Rockwood, Rognlien, Ryder, Sample, Shields, Stambaugh, Steeves, Sutton, Thorburn, Tierney, Troy, Waite, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—78.

Noes: Cavanaugh, Erickson, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Hodgskiss, Knowles, Larson, Merritt, Plumer, Rife, Rorvik, Sparling, Warren. Total—16.

Absent and not voting: Doran, Fulsher, Holton, Jones (Ravalli), Kelly, Reed, Throssel, Tinsley. Total—8.

House Bill No. 34, introduced by McLeod, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Chatham, Clarke, Cooney, Curran, Darlington, Donaldson, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Jameson, Jensen, Jones (Phillips), Jones (Cascade), Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Mason, Miller (Fergus), Miller (Lincoln), Moss, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Troy, Waite, Westlake, Willard, Woodcock, Mr. Speaker. Total—71.

Noes: Abrahamson, Bretzke, Cavanaugh, Cheadle, Clausen, Dellwo, Dougherty, Hodgskiss, Johnson, Marshall, Merritt, Moulton, Plumer, Ryder, Stambaugh, Steeves, Sutton, Thorburn, Tierney, Warren, White. Total—21.

Absent and not voting: Doran, Fulsher, Green (Dawson), Holton, Jones (Ravalli), Kelly, Knowles, Reed, Throssel, Tinsley. Total—10.

House Bill No. 30, introduced by White and Fulsher, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller

(Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—94.

Noes: None.

Absent and not voting: Doran, Fulsher, Green (Dawson), Jones (Ravalli), Knowles, Reed, Throssel, Tinsley. Total—8.

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following Bills correctly engrossed: 54, 60, 58, 44, 43 and 72.

GREEN of Dawson, Chairman."

The Printing Committee reported as follows:

"Mr. Speaker: Your committee on printing respectfully report Substitute for H. B. No. 32 as correctly printed.

COONEY, Chairman."

Substitute for House Bill No. 5, introduced by Judiciary Committee, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—95.

Noes: None.

Absent and not voting: Doran, Fulsher, Jones (Ravalli), Knowles, Reed, Throssel, Tinsley. Total—7.

House Bill No. 54, introduced by Leavens and Logan, having been read three several times, history and title agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Cascade), Kelly, Knight, Kroman, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—92.

Noes: None.

Absent and not voting: Doran, Fulsher, Jones (Phillips), Jones (Ravalli), Knowles, Lamb, Lowry, Reed, Throssel, Tinsley. Total—10.

House Bill No. 58, introduced by White, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Beasancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran,

Darlinton, Dellwo, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Tierney, Troy Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—92.

Noes: None.

Absent and not voting: Donaldson, Doran, Fulsher, Green (Dawson) Holton, Jones (Ravalli), Knowles, Reed, Throssel, Tinsley. Total—10.

House Bill No. 44, introduced by Jones of Cascade, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Barry Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Chatham Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Dellwo, Donaldson Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jensen, Johnson, Jones (Phillips) Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Merritt, Miller (Fergus) Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nelson, Nelstead Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock Mr. Speaker. Total—87.

Noes: Adair, Cavanaugh, Jameson, Mason, Nagle. Total—5.

Absent and not voting: Doran, Fulsher, Goodwin, Green (Dawson) Holton, Jones (Ravalli), Knowles, Reed, Throssel, Tinsley. Total—10.

House Bill No. 43, introduced by Flachsenhar, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day Plank, Prescott, Rife, Rockwood, Rognlien, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Tierney, Troy, Waite, Warren Westlake, White, Willard, Woodcock, Mr. Speaker. Total—91.

Noes: Plumer, Rognlien. Total—2.

Absent and not voting: Doran, Fulsher, Green (Dawson), Holton Jones (Ravalli), Knowles, Reed, Throssel, Tinsley. Total—9.

House Bill No. 72, introduced by Gustafson and Burns, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss

Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—93.

Noes: None.

Absent and not voting: Doran, Fulsher, Green (Dawson), Holton, Jones (Ravalli), Knowles, Reed, Throssel, Tinsley. Total—9.

House Bill No. 33, introduced by Miller of Fergus, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Curran, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Sutton, Thorburn, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—91.

Noes: Barry, Clausen, Steeves. Total—3.

Absent and not voting: Doran, Fulsher, Green (Dawson), Jones (Ravalli), Knowles, Reed, Throssel, Tinsley. Total—8.

House Bill No. 60, introduced by Benjamin, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—92.

Noes: None.

Absent and not voting: Donaldson, Doran, Fulsher, Green (Dawson), Holton, Jones (Ravalli), Knowles, Reed, Throssel, Tinsley. Total—10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House resolve itself in Committee of the Whole for consideration of General Orders.

Mr. Dougherty in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole having had under consideration, House Bill No. 17 and Senate Bill No. 6, respectfully report as follows: That House Bill No. 17 be passed for the present and Senate Bill No. 6 be concurred in.

DOUGHERTY, Chairman."

On motion of Dougherty, report adopted.

On motion of Troy, there being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second times by title only and referred to standing committees:

House Bill No. 111, introduced by Jameson: A Bill for an Act entitled: "An Act authorizing the judge of a district court to purchase supplies, when necessary for such court, and providing the manner and method of payment therefor." Referred to Judiciary Committee.

House Bill No. 112, introduced by Jones of Phillips, Troy, Green of Fergus, Sutton, Steeves, Nelson, Donaldson, Leavitt, Gustafson, Bonine, Dellwo: A Bill for an Act entitled: "An Act to permit real property to be redeemed from tax sale at any time prior to November 1st, 1928 by paying the original tax and interest thereon." Referred to Ways and Means Committee.

House Bill No. 113, introduced by Dellwo: A Bill for an Act entitled: "An Act to amend Section 1204 of the Revised Codes of Montana of 1921, relating to the apportionment of county school funds." Referred to Education Committee.

House Bill No. 114, introduced by Dellwo: A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 5, Article XI, of the Constitution of the State of Montana, relating to the apportionment of State School Funds." Referred to Education Committee.

On motion of Moss, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read at length and referred to Railroads and Transportation Committee:

House Joint Resolution No. 4, introduced by Besancon and Moss:

WHEREAS, the railway companies operating within the State of Montana have shown a commendable cooperative spirit in the development of the State and have through their construction and operation contributed greatly to the prosperity of the State; and in view of the fact that prosperity in Montana, and the well being of its citizens is reflected in the prosperity of the railroads, confidence is expressed that this high degree of cooperation will be continued to the mutual benefit of the railway companies and the people of Montana.

NOW, WHEREAS, work required to repair, renovate and rebuild defective or broken cars, coaches, locomotives or other railroad equipment at various division points and other places along the railroads of Montana seems for some years to have greatly decreased in amount; and,

WHEREAS, this condition has meant loss of employment to many mechanics, causing them to sacrifice their homes and move to other States, with resulting large losses to themselves and their families and in the value of their property and a large decrease in the sale of supplies and material and in other business lines all of large importance to the prosperity of our State;

THEREFORE, BE IT RESOLVED, By the House of Representatives and the Senate of the Twentieth Legislative Assembly of the State of Montana, that all railway companies operating in this State be, and they are hereby requested in all cases where they have repair shops within this State where such work can be done and such defective or broken cars, coaches, locomotives or other equipment can be repaired therein, or renovated, or rebuilt, let the same be done by workmen employed in this

State and in or about such shops located within the State. This resolution shall not be construed as a request to such railways to in any way violate the Federal Safety Appliance Laws nor to haul disabled equipment a greater distance for repair at a point within this State than would be necessary to reach their repair shops in another.

BE IT FURTHER RESOLVED, That copies of this resolution duly authenticated be mailed by the Secretary of State to the Presidents and General Managers of all such railway systems operating within the State; to every Division and General Superintendent, and to every Division Master Mechanic of any such railway.

On motion of Willard, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 82, introduced by Foot, respectfully report as follows: That House Bill No. 82 do not pass.

WILLARD, Chairman."

On motion of Willard, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 62, introduced by Foot, respectfully report as follows: That House Bill No. 62 do pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 101, introduced by Rockwood and Hodgskiss, respectfully report as follows: That House Bill No. 101 be amended by striking out Section 5, and as amended it do pass.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 104, introduced by Marshall, respectfully report as follows: That House Bill No. 104 be amended by inserting in line 13, Section 1, immediately following the word "fact" and preceding the word "and", the words "and make return thereon to the school board;" and by inserting in line 15, Section immediately following the word "the" and preceding the word "notice" the words "service of said," and as amended it do pass.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration, House Bill No. 93, introduced by Besancon, respectfully report as follows: That House Bill No. 93 be printed and placed on General Orders.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: Your Committee on Printing respectfully report House Bills No. 63 and 91 as correctly printed.

COONEY, Chairman."

Moved by Bricker, duly seconded and carried, that the House be turned over to the Committee on State Institutions, Public Buildings and Grounds, immediately upon adjournment.

Moved by Bricker, duly seconded and carried that the House adjourn until 10:30 A. M. January 27, 1927.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

TWENTY FIFTH DAY

House of Representatives,
Helena, Montana, January 27, 1927.

House convened, pursuant to adjournment, at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all members present except: Fulsher, excused on account of illness; Warren, absent.

The Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty Fourth Legislative Day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

COMMUNICATIONS AND PETITIONS

The following communication was received: with copies of poems enclosed:

Moved by Bricker, duly seconded and carried, that the poem be considered read at length and the Journal so show.

Brunelda, Montana, January 19th, 1927.

"House of Representatives, Helena, Montana:

Honored Sirs: Will you kindly appoint me to the position of Poet Laureate for the State of Montana?

I have been a resident of this state for over fifteen years and expect to make this part of the state my future home.

I am a descendant of one of oldest and most distinguished families in the United States.

I have written several hundred poems many of which have been published in the papers of this and other states.

As to my present position I own three fourths section of land in this locality and am farming same. I am also the postmaster here.

I am enclosing a few clippings from different papers as samples of my work.

Your kind consideration will be very much appreciated.

Thanking you in advance, I am,

Sincerely yours,

JULA LLOYD LEACH."

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Leavitt: A Bill for an Act entitled: "An Act to amend Section 4767 of the Revised Codes of Montana, 1921, as amended by Chapter 89 of the Laws of the Eighteenth Legislative Assembly, and as amended by Chapter 137 of the laws of the Nineteenth Legislative Assembly, relating to the deposits of county, city and town funds and repealing all Acts and parts of Acts in conflict herewith."

By Holton, Ryder and Waite: A Bill for an Act entitled: "An Act to amend Section 1281 of the Revised Codes of Montana, 1921, relating to the levy for high school purposes in counties not maintaining a county high school."

By Johnson: A Bill for an Act entitled: "An Act providing for the refunding of money paid by purchasers or owners of certificates of tax sales, and providing a lien on land sold for delinquent taxes, in favor of the owner of such certificate, who, or whose assignor, has paid subsequent taxes upon such land."

By Darlington and Reed: A Bill for an Act entitled: "An Act to amend Section 443 of the Revised Codes of the State of Montana and Chapter 124 of the Eighteenth Legislative Assembly, amending said section relative to the allowance of traveling or other expenses of State, county, city, school district, officers, or employees."

By White: A Bill for an Act entitled: "An Act regulating the admission to practice medicine and surgery of persons who are graduates of reputable medical colleges, and who served the Government of the United States in any of its departments during the world war, and repealing all Acts and parts of Acts in conflict herewith."

By Hodgskiss, Burns, Troy, Foot, Rockwood, Akofer, Merritt, Abramson, Johnson and Stambaugh: A Bill for an Act entitled: "An Act authorizing the State of Montana to engage in the production, purchase and refining of oils and in the purchase and sale of gasoline, oils and lubricants; providing the manner in which said business shall be initiated and conducted, prescribing the powers and duties of the Board of Equalization, Board of Examiners, and State Board of Land Examiners in connection therewith; and making an appropriation therefor, and providing for the distribution of the profits of such business."

By Plank: A Bill for an Act entitled: "An Act to amend Section 285 Revised Codes of Montana 1921 relating to the funding of floating indebtedness by cities and towns."

By Donaldson and Woodcock: A Bill for an Act entitled: "An Act fixing the site of the proposed Commemorative Monument for the Lewis and Clarke Expedition at Fort Benton, Chouteau County, Montana."

By Fish and Game Committee: A Bill for an Act entitled: "An Act to amend Section 6665 of the Revised Codes of Montana of 1921, relating to the ownership and title to animals wild by nature, including game and fur-bearing animals, game and non-game birds, and fish, and repealing all Acts and parts of Acts in conflict herewith."

By Harris, Miller and Green (Fergus): A Bill for an Act entitled: "An Act to amend Section 719 of the Revised Codes of Montana of 1921, and to add a new section to be designated as Section 719A, all relating to the ballot to be used by absent voters."

By Lillis: A Bill for an Act entitled: "An Act to amend Section 5070 Revised Codes of Montana, 1921, relating to contracts by cities and towns for work, supplies and material."

By Cheadle: A Bill for an Act entitled: "An Act to amend Section 6482 of the Revised Codes of Montana, 1921, relating to the conditions of allowances of financial aid of dependent children (Mother's Pension Act)."

By Jameson: A Bill for an Act entitled: "An Act to amend Section 632 of the Revised Codes of Montana, for 1921, being a part of Chapter 6 of Part 3 of the Code of Civil Procedure relating to the time for appearance of defendant in an action in Justice Court."

By Adair: A Bill for an Act entitled: "An Act relating to banks, savings banks, savings and loan societies, and institutions in which deposits of money are made, and requiring the making and publication of a biennial statement of certain deposits of money, and to provide for the punishment of persons violating the same, and providing for proceedings of forfeiture of the state."

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills, Nos. 64, 68, 65, 66, and 67.

GREEN of Dawson, Chairman."

"Mr. Speaker: Your Committee on Printing respectfully report House Bill No. 88 as correctly printed.

COONEY, Chairman."

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 19, introduced by Ruffcorn respectfully report as follows: That Senate Bill No. 19 be concurred in."

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 45, introduced by Green (Fergus), respectfully report as follows: That House Bill No. 45 do pass."

BEN NELSON, Chairman."

On motion of Nelson, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 76, introduced by Johnson, respectfully report as follows: That House Bill No. 76 be amended by striking out all of Section 3, and that it do pass as amended."

CLARKE, Chairman."

On motion of Clarke, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 73, introduced by Donaldson, respectfully report as follows: That House Bill No. 73 be amended by striking out Section 4, and that it do pass as amended."

CLARKE, Chairman."

On motion of Clarke, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second times by title only and referred to standing committees:

House Bill No. 115, introduced by Kroman, Hagerty, Darlington and Benjamin: A Bill for an Act entitled: "An Act to promote the safety of employees and passengers upon railroads by prescribing the number of men that shall constitute a train crew, and providing a penalty for the violation of this Act." Referred to Railroads and Transportation Committee.

House Bill No. 116, introduced by Hodgskiss: A Bill for an Act entitled: "An Act to amend Section 8385 of the Revised Codes of Montana for 1921, relating to the enforcement of Agister's liens." Referred to Livestock and Public Ranges Committee.

House Bill No. 117, introduced by Bricker and Besancon: A Bill for an Act entitled: "An Act providing a method by which a refund or drawback may be obtained of license taxes paid on gasoline handled, and prescribing the procedure for obtaining refunds or drawbacks; prescribing the powers and duties of the State Treasurer and the State Board of Equalization in connection therewith; providing for penalties for making false statements in connection with applications for a refund or drawback." Referred to Highways Committee.

House Bill No. 118, introduced by Bricker and Besancon: A Bill for an Act entitled: "An Act dividing the state into districts, defining the boundaries of such districts and the percentum of incompleeted mileage in the Federal Highway System in each district, and prescribing the manner and place in which the moneys of the State Highway Fund shall be expended by the State Highway Commission for road construction purposes." Referred to Highways Committee.

House Bill No. 119, introduced by Bricker and Besancon: A Bill for an Act entitled: "An Act requiring all persons, copartnerships, firms, associations, joint stock companies, syndicates and corporations engaged in or carrying on, the business in this state of selling, handling, or using gasoline, to pay to the State Treasurer certain license taxes for engaging in any carrying on such business in this state; fixing the amount of such license taxes; providing a method for the assessment, collection and distribution of the same."

position thereof; and prescribing penalties for the violation of this Act." Referred to Highways Committee.

House Bill No. 120, introduced by Knight: A Bill for an Act entitled: An Act to amend Section 8931 of the Revised Codes of the State of Montana, of 1921, amending said Section relative to fees allowed district court stenographers for transcripts." Referred to Judiciary Committee.

House Bill No. 121, introduced by Hodgskiss: A Bill for an Act entitled: "An Act to amend Section 11211 of the Revised Codes of Montana of 1921, relating to altering brands on livestock." Referred to Livestock and Public Ranges Committee.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that House Bill No. 92 be recalled from Ways and Means Committee and re-referred to Townships and Counties Committee.

Moved by Hardcastle, duly seconded and carried, that the Speaker appoint a committee of three to make arrangements for a suitable program for Lincoln's Birthday, and to report back to the House by February 5th.

Moved by Throssel, duly seconded and carried, that the House reconsider its action on House Bill No. 74 and same be printed and placed on General Orders.

Moved by Besancon, duly seconded and carried, that House Bill No. 17 be taken from General Orders and ordered reprinted, in accordance with the last report of the committee acting upon it.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, January 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following motion, by Senator Kane, was this day duly seconded and passed: "I move that the State Accountant be requested to furnish the Secretary of the Senate a statement of the expense incurred in publishing the Constitutional Amendments voted on in 1924 and 1926. Said statement to show expense in each county and specify by whom claims were made.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the standing committees of the Senate have this day reported as follows:

Committee on Finance and Claims reported H. B. No. 18 without commendation; H. B. No. 19 be concurred in.

Judiciary Committee reported that H. B. No. 20 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following standing committees reported as follows:

Judiciary Committee report that S. B. No. 22, by Walker, be amended striking out the word "or" in line 19 of said bill and inserting in lieu thereof a ",", and by adding after the word "administrator" in lines 19-20 the words "or guardian"; and by striking out in line 24 of said bill the word "or" and inserting in lieu thereof a ",", and by adding after the word "administrator" in said line 24, the words "or guardian", and that, as so amended, it do pass.

Judiciary Committee report that S. B. No. 11, by Church, do not pass.
 Judiciary Committee report that S. B. No. 10, by Church, do not pass.
 Judiciary Committee report that S. B. No. 21, by Walker, do not pass.
 Judiciary Committee report that S. B. No. 23, by Walker, do pass.
 Education Committee report that S. B. No. 1, by Kemmis, do pass.
 Report adopted.

Respectfully,
 J. F. CONE, Secretary of Senate."

Helena, Montana, January 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second times and referred to committees as follows:

H. B. No. 10—Committee on Banks and Banking.

H. B. No. 14—Committee on Education.

H. B. No. 39—Federal Relations Committee.

Respectfully,
 J. F. CONE, Secretary of Senate."

Helena, Montana, January 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second times, and referred to the standing committees:

S. B. No. 30, by Committee on Education: "An Act assenting to the provisions of an Act of Congress entitled: 'An Act to authorize the more complete endowment of the Agricultural Experiment Stations and for other purposes.' Approved February 24, 1925." Agriculture.

S. B. No. 31, by Paul: "An Act to amend Section 8 of Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and to provide for the publication of delinquent tax list." Taxation.

Respectfully,
 J. F. CONE, Secretary of Senate."

Helena, Montana, January 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day given:

By Church: A Bill for an Act entitled: "An Act providing for filing for record of Cooperative Association Marketing Agreements: The effect of such filing for record on the title and possession of the product covered thereby: The right of such association to hypothecate, transfer or assign such agreement: And providing the manner of execution, recording, recording fees, rights and obligations of all parties in interest."

By Kane: A Bill for an Act entitled: "An Act to amend Section 714 of the Revised Codes of Montana, 1921, and to provide for collection of charges for services by water commissioner or commissioners."

Respectfully,
 J. F. CONE, Secretary of Senate."

THIRD READING OF SENATE BILLS

Senate Bill No. 6, introduced by Ruffcorn, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Ber son, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenha, Goodwin, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harri Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Cascade Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lilli Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Mill

Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rognlien, Rorvik, Ryder, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—91.

Noes: None.

Absent and not voting: Cooney, Dunn, Fulsher, Green (Fergus), Johnson, Jones (Ravalli), Reed, Rockwood, Shields, Waite, Warren. Total—11.

THIRD READING OF HOUSE BILLS

House Bill No. 64, introduced by the Appropriation Committee, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Moss, Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Westlake, Willard, Woodcock, Mr. Speaker. Total—87.

Noes: Abrahamson, Budas, Goodwin, Green (Dawson), Kelly, Knowles, Miller (Lincoln), Mulholland, Plumer, Rorvik, Sample, White. Total—12.

Absent and not voting: Fulsher, Jones (Ravalli), Warren. Total—3.

House Bill No. 65, introduced by Appropriations Committee, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Lincoln), Moss, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsleys, Troy, Waite, Westlake, Willard, Woodcock, Mr. Speaker. Total—90.

Noes: Cavanaugh, Green (Fergus), Green (Dawson), Harris, Knowles, Miller (Fergus), Moulton, Sample, White. Total—9.

Absent and not voting: Fulsher, Jones (Ravalli), Warren. Total—3.

House Bill No. 66, introduced by Appropriations Committee, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Dawson), Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Cascade), Kelly, Knight, Knowles, Kroman, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Reed, Rockwood, Rognlien, Rorvik,

Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel Tierney, Troy, Waite, Westlake, Willard, Woodcock, Mr. Speaker. Total—83

Noes: Abrahamson, Budas, Goodwin, Green (Fergus), Harris, Lamb Plumer, Prescott, Rife, Sample, Tinsley, White. Total—12.

Absent and not voting: Donaldson, Fulsher, Gustafson, Jones (Phillips), Jones (Ravalli), Moss, Warren. Total—7.

House Bill No. 67, introduced by Appropriations Committee, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Barry, Bonine, Bricker, Brown, Burke Burns, Chatham, Cheadle, Cooney, Curran, Darlington, Dellwo, Donaldson Doran, Dougherty, Dunn, Root, Flachsenhar, Green (Dawson), Gustafson Hardcastle, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips) Jones (Cascade), Kelly, Knight, Kroman, Leavens, Lillis, Logan, McCleary Mason, Merritt, Moss, Mulholland, Murphy, Nagle, Nelson, Nelstead O'Day, Prescott, Reed, Rife, Ryder, Shields, Stambaugh, Tinsley, Troy Waite, Westlake, Willard, Mr. Speaker. Total—58.

Noes: Abrahamson, Ballard, Benjamin, Benson, Besancon, Bretzke Budas, Cavanaugh, Clarke, Clausen, Erickson, Goodwin, Green (Fergus) Hagerty, Harris, Lamb, Larson, Leavitt, Lowry, McLeod, Marshall, Miller (Fergus), Miller (Lincoln), Moulton, Nicholson, Plank, Plumer, Rockwood, Rognlien, Rorvik, Sample, Sparling, Steeves, Sutton, Thorburn Throssel, Tierney, White, Woodcock. Total—39.

Absent and not voting: Fulsher, Holton, Jones (Ravalli), Knowles Warren. Total—5.

House Bill No. 68, introduced by Appropriations Committee, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips) Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Read, Rife Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren Westlake, White, Willard, Woodcock, Mr. Speaker. Total—96.

Noes: Plumer.

Absent and not voting: Fulsher, Hagerty, Holton, Jones (Ravalli) Ryder. Total—5.

Moved by Bricker, duly seconded and carried that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

Mr. Speaker announced the appointment of the following committee to arrange for a proper program for Lincoln's birthday, on February 12: White, Richland, chairman; Hardcastle, Silver Bow; Nagle, Lewis and Clark.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House resolve itself into Committee of the Whole for the consideration of General Orders and that proponents and opponents of bills be given five minutes and

others three minutes on the main bill; and that proponents and opponents on amendments be given three minutes, and others two minutes, with no trading of time; and that bills be read by history, title and section numbers only.

Mr. Murphy in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Sub. H. B. No. 32, H. B. Nos. 38, 50 and S. B. No. 19, respectfully report as follows: That Sub. House Bill No. 32 do pass.

That House Bill No. 38 do pass.

That House Bill No. 50 be passed for the day.

That Senate Bill No. 19 be concurred in.

MURPHY, Chairman."

On motion of Murphy, report adopted.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:30 A. M., January 28, 1927.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

TWENTY-SIXTH DAY

House of Representatives,
Helena, Montana, January 28, 1927.

House convened pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all present except: Fulsher, excused on account of illness; Green of Fergus, excused on account of illness; Willard, excused by Mr. Speaker.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the 25th legislative day, find the same to be correct.

G. W. DARLINGTON, Chairman."

On motion of Darlington, report adopted.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Leavens: A Bill for an Act entitled: "An Act to amend Section 3504 of the Revised Codes of Montana of 1921, so as to increase the maximum distance between crosscuts, where mechanical means of loading coal or riving entries are employed, or where local mechanical methods of ventilation are installed."

By Livestock and Public Ranges Committee: A Bill for an Act entitled: "An Act to amend Chapter 140 of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana, relating to declaring abandoned horses running at large upon the open range in the State of Montana to be a public nuisance; defining "abandoned horse"; defining "open range"; condemning abandoned horses running upon the open range; providing for roundups and for sale and other disposition of abandoned horses taken up in such roundups; providing for reclamation of any aban-

doned horse by its owner; providing for the taxation of abandoned horses and providing for notices and procedure."

By Leavens: A Bill for an Act entitled: "An Act to amend Section 3524 of the Revised Codes of Montana of 1921, to provide for the firing of shots whenever necessary in mines, where the coal is loaded out by any mechanical means, or where new methods of mining are being developed that require shooting more than once per shift."

By Donaldson and Reed: A Bill for an Act entitled: "An Act to amend Section 4462 of the Revised Codes of Montana of 1921 relating to time of regular meetings and extra sessions."

By Donaldson and Reed: A Bill for an Act entitled: "An Act to amend Section 1632 of the Revised Codes of Montana of 1921 relating to inspection of highways and construction work by Boards of County Commissioners and compensation therefor."

By Donaldson and Reed: A Bill for an Act entitled: "An Act to amend Section 4464 of the Revised Codes of Montana of 1921, relative to the compensation of members of the Board of County Commissioners."

By Johnson: A Bill for an Act entitled: "An Act to provide for the employment of deputies of the Registrar of Motor Vehicles and to fix their salaries."

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills No. 53 and 94 as correctly printed.

COONEY, Chairman."

"Mr. Speaker: We, your Committee on Employment have this day recommended for appointment the following:

Dolores Milkwick—Stenographer.

Hazel Vanlandingham—Stenographer.

Catherine Bell—Stenographer.

Minnie Schnider—Stenographer.

RYDER, Chairman."

On motion of Ryder, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 111, introduced by Jameson, respectfully report as follows: That House Bill No. 111 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration, House Bill No. 97, introduced by Leavitt, respectfully report as follows: That House Bill No. 97 be amended as follows: "By striking out in lines 16 and 17 of Section 1, the words "submitted by the pleadings and inserting in lieu thereof "involved in the case" and that Section 3 be amended by striking out all of Section 3, and that as amended, House Bill No. 97 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Workmen's Compensation having had under consideration, House Joint Resolution No. 2, introduced by Curran, respectfully report as follows: That House Joint Resolution No. 2 do pass.

NELSTEAD, Chairman

On motion of Nelstead, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 84, introduced by Besancon, respectfully report as follows: That House Bill No. 84 do pass.

On motion of Troy, report adopted.

TROY, Chairman."

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: 32 and 38.
GREEN of Dawson, Chairman."

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second time by title only, and referred to standing committees:

House Bill No. 122, introduced by Fish and Game Committee: A Bill for an Act entitled: "An Act to amend Section 6665 of the Revised Codes of Montana of 1921, relating to the ownership and title to animals wild by nature, including game and fur-bearing animals, game and non-game birds, and fish, and repealing all Acts and parts of Acts in conflict herewith." Referred to Fish and Game Committee.

House Bill No. 123, introduced by Darlington and Reed: A Bill for an Act entitled: "An Act to amend Section 443 of the Revised Codes of the State of Montana and Chapter 124 of the Eighteenth Legislative Assembly, amending said Section relative to the allowance of traveling or other expenses of State, County, City, school district, officers or employees." Referred to Townships and Counties Committee."

House Bill No. 125, introduced by Johnson: A Bill for an Act entitled: "An Act providing for the refunding of money paid by purchasers or owners of certificates of tax sales, and providing a lien on land sold for delinquent taxes in favor of the owner of such certificate, who, or whose assignor, has paid subsequent taxes upon such land." Referred to Revenue and Taxation Committee.

House Bill No. 126, introduced by Leavitt: A Bill for an Act entitled: "An Act to amend Section 4767 of the Revised Codes of Montana, 1921, as amended by Chapter 89 of the Laws of the Eighteenth Legislative Assembly, and as amended by Chapter 137 of the Laws of the Nineteenth Legislative Assembly, relating to the deposits of county, city and town funds and repealing all Acts and parts of Acts in conflict herewith." Referred to Townships and Counties Committee.

House Bill No. 127, introduced by Sample: A Bill for an Act entitled: "An Act relating to the return of sale of real estate under a decree of court, and providing the manner of recording such return." Referred to Judiciary Committee.

House Bill No. 128, introduced by Lillis: A Bill for an Act entitled: "An Act to amend Section 5070 Revised Codes of Montana 1921, relating to contracts by cities and towns for work, supplies and material." Referred to Affairs of Cities Committee.

House Bill No. 130, introduced by Harris, Miller of Fergus, and Green of Fergus: A Bill for an Act entitled: "An Act to amend Section 719 of the Revised Codes of Montana of 1921, and to add a new section to be designated as Section 719A, all relating to the ballot to be used by absent voters." Referred to Privileges and Elections Committee.

House Bill No. 131, introduced by White: A Bill for an Act entitled: "An Act regulating the admission to practice medicine and surgery of persons who are graduates of reputable medical colleges, and who served the government of the United States in any of its departments during the World War, and repealing all Acts and parts of Acts in conflict herewith." Referred to Public Health and Sanitary affairs Committee.

House Bill No. 132, introduced by Donaldson and Woodcock: A Bill for an Act entitled: "An Act fixing the site of the proposed commemorate monument for the Lewis and Clark Expedition at Fort Benton, Chouteau County, Montana." Referred to State Institutions, Public Buildings and Grounds Committee.

House Bill No. 133, introduced by Cheadle: A Bill for an Act entitled: "An Act to amend Section 10482 of the Revised Codes of Montana of 1921 relating to conditions of allowance of financial aid of dependent children." Referred to Public Morals, Charities and Reforms Committee.

House Bill No. 134, introduced by Adair: A Bill for an Act Entitled: "An Act relating to Banks, Savings Banks, Savings and Loan Societies and institutions in which deposits of money are made, and requiring the making and publication of a biennial statement of certain deposits of money, and to provide for the punishment of persons violating the same, and providing for proceedings of forfeiture to the State." Referred to Banks and Banking Committee.

House Bill No. 135, introduced by Jameson: A Bill for an Act entitled: "An Act to amend Section 9632 of the Revised Codes of Montana, for 1921, being a part of Chapter Forty-five of Part Three of the Code of Civil Procedure relating to the time for appearance of defendant in an action in Justice Court." Referred to Judiciary Committee.

Senate Bill No. 3, introduced by Church: "An Act to amend Chapter 188 of the Laws of 1925 relating to the licensing of dealers in oleomargarine or other substitutes, dairy products, and fixing the fees for the same and providing penalties for the violation of the Act." Referred to Dairying Committee.

Senate Joint Resolution No. 2, introduced by Shelver: "A Resolution expressing the desire of the people of the State of Montana to his Excellency the President of the United States of America that he take steps to negotiate a treaty with the Dominion of Canada in furtherance of the Great Lakes- St. Lawrence Waterway." Referred to Federal Relations Committee.

The following Bills were introduced, read first time by title only, and second time at length and referred to Appropriations Committee.

House Bill No. 124, introduced by Stambaugh: A Bill for an Act entitled: "An Act providing for the establishing of a manufacturing plant for the purpose of manufacturing auto license number plates at the State Penitentiary at Deer Lodge, Montana."

House Bill No. 129, introduced by Hodgskiss, Burns, Troy, Foot, Rockwood, Akofer, Merritt, Abrahamson, Johnson, and Stambaugh: A Bill for an Act entitled: "An Act authorizing the State of Montana to engage in the production, purchase and refining of oils and in the purchase and sale of gasoline, oils, and lubricants; providing the manner in which said business shall be initiated and conducted, prescribing the powers and duties of the Board of Equalization, Board of Examiners and State Board of Land Examiners in connection therewith; and making an appropriation therefor, and providing for the distribution of the profits of such business.

House Bill No. 136, introduced by Shields: A Bill for an Act entitled: "An Act to establish the Northern Montana State Normal School: defining its objects; designating its location; providing for the control, supervision and management thereof; placing the institution under the control of the State Board of Education; amending Section 852 of the Revised Codes of Montana of 1921 so as to make said institution a part of the University of Montana; and providing for an appropriation for the establishment and maintenance of said school."

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, January 27, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, fully agreed to, and are herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 2, introduced by Shelver.

Senate Bill No. 3, introduced by Church.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 27, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees reported this day as follows:

Committee on Sanitary Affairs report and recommend that House Bill No. 35, by Knight, Murphy and Burke be concurred in.

Committee on Taxation report that Senate Bill No. 12 by Ruffcorn, do pass.

Committee on Taxation report that Senate Bill No. 31, by Paul, be amended by adding to Section 5 the following: "As a basis of measurement it is understood that all names and description shall be set in six point solid type single column, and that headings shall not be set in type larger than eight point capitals", and, as so amended, it do pass.

Reports adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 27, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second times, and referred to the standing committees:

S. B. No. 32, by Kane: "An Act to amend Section 7148 of the Revised Codes of Montana, 1921, and to provide for collection of charges for services by Water Commissioner or Commissioners." Irrigation Committee.

S. B. No. 33, by Dowlin: "An Act providing for the valuation and assessment of property for assessment and taxation in the year 1927, and every two years thereafter." Taxation Committee.

S. B. No. 34, by Walker: "An Act to amend Section 10434, Revised Codes of Montana 1921, relating to the manner of giving notice of hearing of petition for sale of real estate or of real and personal estate of a ward and providing that if written consent to making the order of sale is given by all persons interested in the estate of the ward and by his next of kin notice need not be served or published and such hearing may take place at any time." Judiciary Committee.

S. B. No. 35, by Church: "An Act providing for filing for record of cooperative association marketing agreements; the effect of such filing for record on the title and possession of the product covered thereby; the right of such association to hypothecate, transfer or assign such agreement; and providing the manner of execution, recording, recording fees, rights and obligations of all parties in interest." Livestock and Grazing.

Respectfully,

J. F. CONE, Secretary of Senate."

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of bills were this day given:

By Paul: "An Act to amend Section 10536 of the Revised Codes of the State of Montana of 1921, relating to persons who cannot testify in certain particular relations, by adding a clause to Subdivision 1 of said section."

By McCormick: "An Act to amend Section 11 of Chapter 113 of the Session Acts of the Nineteenth Legislative Assembly of Montana of 1925 relating to certificates of registration of motor vehicles."

By Dell: "An Act relating to the borrowing of money, contracting of indebtedness and issuing of bonds by incorporated cities and towns, and repealing Sections 5278, 5279, 5280, 5281, 5282, 5283, 5284, 5285, 5286, 5287 and 5288, Revised Codes of Montana 1921."

By Dell: An Act to amend Section 721, Revised Codes of Montana 1921, as amended by Chapter 151 Session Laws 1923, relating to absent voters ballots."

By Corrington and Schnitzler: "An Act to authorize the State Treasurer of the State of Montana to discontinue the carrying of the State

Treasurer vault fund and to authorize the State Treasurer of the State of Montana to transfer all moneys from said fund to the capitol building and interest and sinking fund."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 27, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report as follows:

That H. B. No. 19 be concurred in.

That H. B. No. 20 be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 27, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House bills were this day read first and second times and referred to the standing committees:

House Bill No. 3—Elections and Privileges.

Substitute for House Bill No. 5—Judiciary.

House Bill No. 30—Finance and Claims.

House Bill No. 33—Counties and Towns.

House Bill No. 34—Finance and Claims.

House Bill No. 43—Education.

House Bill No. 44—Corporations Other Than Municipal.

House Bill No. 54—Finance and Claims.

House Bill No. 58—Libraries.

House Bill No. 60—Sanitary Affairs.

House Bill No. 72—Elections and Privileges.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 27, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Rules, having had under consideration motion that the rules be suspended and that the number of printed bills be raised from five hundred to six hundred, report and recommend that said motion do not pass.

The Committee on Rules further recommends that the number of bills allotted to each Senator shall be three, one of which shall be sent, by the Sergeant-at-Arms, directly to the Clerk and Recorder of each county in the state, and that each Senator shall immediately present to the Sergeant-at-Arms the names and addresses for the other two remaining bills, which he desires to have sent out, if any. A report of the distribution of bills as made under this recommendation is as follows:

	No. of Bills.
Departments in Capitol Building	53
County Clerks and Recorders	56
Requests from 46 Senators	110
House of Representatives	125
Senate for Senators	75
Files in Sergeant-at-Arms Office.....	69
Miscellaneous	12
	<hr/> 500

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

THIRD READING OF SENATE BILLS

Senate Bill No. 19, introduced by Ruffcorn, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Goodwin, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Woodcock, Burns, Mr. Speaker. Total—91.

Noes: Clausen, Steeves. Total—2.

Absent and not voting: Dunn, Fulsher, Green (Fergus), Jensen, Jones (Ravalli), Logan, Reed, Ryder, Willard. Total—9.

THIRD READING OF HOUSE BILLS

Substitute for House Bill No. 32, introduced by Judiciary Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tireney, Tinsley, Troy, Waite, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—97.

Noes: Plumer. Total—1.

Absent and not voting: Fulsher, Green (Fergus), Jensen, Willard. Total—4.

House Bill No. 38, introduced by Leavitt, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—99.

Noes: None.

Absent and not voting: Fulsher, Green (Fergus), Willard. Total—3.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried that the House resolve itself into Committee of the Whole for consideration of General Orders, with the rule that proponents and opponents of bills be given five minutes and others three minutes for discussion of the main bill; and that proponents and opponents, on amendments, be given three minutes, and others two minutes, with no trading of time; and that bills be read by history, title and section numbers only, except appropriation bills.

Mr. Moss in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 50, House Bill No. 63, House Bill No. 88 and House Bill No. 91, respectfully report as follows: That House Bill No. 50 be passed for the day.

That House Bill No. 63 be amended as follows:

Section 1. By inserting in line 20, of the printed bill, the words: "more than" after the word "for", and preceding the words "ninety-nine years."

Section 3: By striking out all of Section 3; and that as so amended said House Bill No. 63 do pass.

That House Bill No. 88 be amended as follows:

Section 1: By striking out in line 81 the words and figures "Seven Thousand Three Hundred Eighty Dollars \$7,380.00", and inserting in lieu thereof the words and figures "Seven Thousand Eight Hundred Dollars \$7,800.00"; and by striking out in line 84 the words and figures "Four Thousand Three Hundred Eighty Dollars \$4,380.00", and inserting in lieu thereof the words and figures "Four Thousand Eight Hundred Dollars \$4,800.00", and by striking out in lines 86 and 87 the words and figures "For other operating expenses Sixteen Thousand Three Hundred Twenty-five Dollars \$16,325.00," and inserting in lieu thereof the words and figures "For General Expenses Eighteen Thousand Seventy-five Dollars \$18,075.00."

Section 2: By striking out in line 78 the words and figures "Seven Thousand Three Hundred Eighty Dollars \$7,380.00", and inserting in lieu thereof the words and figures "Seven Thousand Eight Hundred Dollars \$7,800.00"; by striking out in line 81 the words and figures "Four Thousand Three Hundred Eighty Dollars \$4,380.00", and inserting in lieu thereof the words and figures "Four Thousand Eight Hundred Dollars \$4,800.00"; and by striking out in lines 84 and 85 the words and figures: "For other operating expenses Sixteen Thousand Three Hundred Twenty-five Dollars \$16,325.00", and inserting in lieu thereof the words and figures: "For general expenses Eighteen Thousand Seventy-five Dollars \$18,075.00."

Section 5: By striking out all of Section 5; and that as so amended, said House Bill No. 88 do pass.

That House Bill No. 91 be amended by striking out the enacting clause.
MOSS, chairman."

On motion of Moss, report adopted.

Moved by Bricker, duly seconded and carried that the House recess until 1:30 P. M.

AFTERNOON SESSION

House resumed at 1:30 P. M.

Mr. Speaker in the chair.

On motion of Bricker, there being no objections, House reverted to Order of business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Bricker: A Bill for an Act entitled: "An Act to amend Section 2114 of the Revised Codes of Montana of 1921, relating to powers of the County Board to equalize assessments and providing for a time for hearing upon said assessments and notice to the taxpayer of the decision of said county board after such hearing."

MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that the consideration of House Bill No. 50 be made a special order of business on General Orders for Tuesday, February 8, 1927, at 2 p. m.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, January 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills, having been read three several times and concurred in, title agreed to, are herewith transmitted to the House.

H. B. No. 19, by Appropriations Committee.

H. B. No. 20, by Burns.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bill was this day introduced, read first and second time and referred to the Committee on Roads and Highways:

S. B. No. 36, by McCormick by request: "An Act to amend Section 11 of Chapter 113 of the Session Acts of the Nineteenth Legislative Assembly of Montana of 1925 relating to certificates of registration of motor vehicles.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second time and referred to the standing committees:

House Bill No. 64—Finance and Claims.

House Bill No. 65—Finance and Claims.

House Bill No. 66—Finance and Claims.

House Bill No. 67—Finance and Claims.

House Bill No. 68—Finance and Claims.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day given:

By Dowlin: "An Act defining the powers of state stock inspectors inspecting livestock on removal from one county to another within the State of Montana; authorizing the seizure and sale of such livestock under certain conditions and providing for the disposal of the proceeds thereof."

By Donovan: "An Act to amend Section 8933 of the Revised Codes of Montana of 1921 relating to salary and mileage of court stenographers."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, respectfully report and recommend as follows:

That House Bill No. 35 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees this day recommended and reported as follows:

Reports adopted.

Committee on Privileges and Elections report that H. B. No. 28, introduced by Rognlien be amended as follows: "Amend Section 1 in line 21 by striking out the word "all", being the first word in said line, and inserting after the words "public office" in the same line the following words "in such county, district, or state"; and amend the same section in line 10 of page 2 of the original bill by striking out the figures "615" and inserting in lieu thereof the figures "612"; and, as amended, it be concurred in.

Committee on Finance and Claims report that H. B. No. 37, be amended by adding a section to be known as Section 3, to-wit: "Section 3. The appropriations hereinabove provided for shall be deemed and held valid notwithstanding the provisions of the Budget Act," and, as amended, it be concurred in.

Committee on Federal Relations report that H. B. No. 39 be concurred in.

Committee on Privileges and Elections report that H. B. No. 72, by Gustafson and Burns be concurred in.

Committee on Corporations Other Than Municipal report that H. B. No. 44 be concurred in.

Committee on Privileges and Elections report that Senate Bill No. 8 by Porter do not pass.

Committee on Roads and Highways report that S. B. No. 18 do not pass.

Respectfully,

J. F. CONE, Secretary of Senate."

Mr. Speaker excused the following members until Monday: Miller of Fergus, Hodgskiss, Murphy, Stambaugh, Benjamin, Mulholland, and Bretzke, until Monday noon.

Moved by Bricker, duly seconded and carried that the House adjourn until 10:30 A. M., January 29th.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

TWENTY-SEVENTH DAY

House of Representatives,
Helena, Montana, January 29, 1927.

House convened pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all present except: Benjamin, excused by Speaker; Bretzke, excused by Speaker; Fulsher, excused on account of illness; Green of Fergus, absent; Hodgskiss, excused by Speaker; Knowles, absent; Miller of Fergus, excused by Speaker; Mulholland, excused by Speaker; Murphy, excused by Speaker; Stambaugh, excused by Speaker.

Mr. Speaker excused Doran until Monday and Adair until Monday.

Journal Committee reported as follows.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the twenty-sixth day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlinton, report adopted.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Marshall, Dellwo, Stambaugh and Holton: A Bill for an Act entitled: "An Act for the protection of the forest and forest lands within the State of Montana and to repeal Sections 2765, 2771, 2772 and 2773 of the Revised Codes of Montana and all other Acts and parts of Acts in conflict herewith."

By Rognlien: A Bill for an Act entitled: "An Act to amend Section 8897 of the Revised Codes of Montana, 1921, by prescribing the number of names to be included in the jury list."

By Dellwo, Burns and Warren: A Bill for an Act entitled: "An Act to amend Chapter 254 of the Revised Codes of Montana 1921 by adding one section thereto to be known as Section 3566a relating to eradication of bee diseases by counties."

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: 63.

GREEN of Dawson, Chairman."

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills No. 19 and 20.

WAITE, Chairman."

"Mr. Speaker: Your Committee on Printing respectfully report House Bills No. 17, 45, 62, 73, 74, 76, 93, 101, 104, 4 and Substitute for House Bills No. 49 and 59 as correctly printed.

COONEY, Chairman."

Mr. Speaker announced at this time that he was about to sign, and thereupon did sign, House Bill No. 19 and House Bill No. 20.

INTRODUCTION OF BILLS AND MEMORIALS

There being no objections, on motion of Flachsenhar, the following bill was introduced without previous notice, read first and second time by title only and referred to Committee on Education:

House Bill No. 137, introduced by Committee on Education by request: A Bill for an Act entitled: "An Act to establish a retirement system to provide for the retirement upon retirement allowances of public school teachers in the State of Montana; establishing a retirement board for the administration of such system; fixing the membership thereof and providing retirement allowances thereunder; establishing certain funds for the administration of said system and providing for the securing of the moneys, income, and revenue for the maintenance of such funds; and providing for the discontinuing of the retirement system established by Sections 113 to 1132 of the Revised Codes of 1921." Referred to Committee on Education.

The following bills were introduced, read first and second times by title only, and referred to standing committees:

House Bill No. 138, introduced by Leavens: A Bill for an Act entitled: "An Act to amend Section 3524 of the Revised Codes of Montana of 1921, to provide for the firing of shots whenever necessary in mines, where the coal is loaded out by any mechanical means, or where new methods of mining are being developed that require shooting more than once per shift." Referred to Committee on Mines and Mining.

House Bill No. 139, introduced by Leavens: A Bill for an Act entitled: "An Act to amend Section 3504 of the Revised Codes of Montana of 1921, so as to increase the maximum distance between crosscuts, where mechanical means of loading coal or driving entries are employed, or where local mechanical methods of ventilation are installed." Referred to Committee on Mines and Mining.

House Bill No. 140, introduced by Donaldson and Reed: A Bill for an Act entitled: "An Act to amend Section 1632 of the Revised Codes of Montana of 1921, relating to inspection of highways and construction work by boards of county commissioners and compensation therefore." Referred to Committee on Townships and Counties.

House Bill No. 141, introduced by Donaldson and Reed: A Bill for an Act entitled: "An Act to amend Section 4462 of the Revised Codes of Montana of 1921 relating to time of regular meetings and extra sessions." Referred to Committee on Townships and Counties.

House Bill No. 142, introduced by Donaldson and Reed: A Bill for an Act entitled: "An Act to amend Section 4464 of the Revised Codes of Montana, 1921, relative to the compensation of members of the Board of County Commissioners." Referred to Townships and Counties Committee.

House Bill No. 143, introduced by Livestock and Public Ranges Committee: A Bill for an Act entitled: "An Act to amend Chapter 140 of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana, relating to declaring abandoned horses running at large upon the open range in the State of Montana to be a public nuisance; defining "abandoned horse"; defining "open range"; condemning abandoned horses running upon the open range; providing for roundups and for sale and other disposition of abandoned horses taken up in such roundups; providing for reclamation of any abandoned horse by its owner; providing for the taxation of abandoned horses; and providing for notices and procedure." Referred to Livestock and Public Ranges Committee.

House Bill No. 144, introduced by White, Flachsenhar and Besancon: A Bill for an Act entitled: "An Act to amend Sections 256, 257, 258 and 259, Montana Revised Codes of 1921, relating to contracts by the Board of Examiners for supplies; also for the construction of buildings and the repair and improvement of buildings and grounds, advertising for proposals therefor, contents of notice, and method of awarding contracts." Referred to Committee on State Boards and Officers.

House Bill No. 145, introduced by Bricker: A Bill for an Act entitled: "An Act to amend Section 2114 of the Revised Codes of Montana of 1921, relating to powers of the County Board to equalize assessments and providing for a time for hearing upon said assessments and notice to the taxpayer of the decision of said County Board after such hearing." Referred to Committee on Revenue and Taxation.

Substitute for House Bill No. 85, introduced by Townships and Counties Committee: A Bill for an Act entitled: "An Act relating to delinquent taxes and special assessments, of cities and towns; providing that such delinquent taxes and assessments shall be certified to the County Treasurer and that such delinquent taxes and assessments shall be included by the County Treasurer in all tax sales made by him." Referred to Printing Committee.

The following bill was introduced, read at length and referred to Appropriations Committee:

House Bill No. 146, introduced by Moss, Rockwood, Foot and Rognlien: A Bill for an Act entitled: "An Act authorizing Wilsie M. Cramer to file with the State Board of Examiners as a deficiency claim against the State of Montana for payment to him of moneys due him for the purchase price of land and water right deeded by him to the State of Montana, for an easement, water rentals, damages and interest accrued on the amount due him and authorizing the State Board of Examiners to hear, audit and determine the said claim of Wilsie M. Cramer and authorizing the State Auditor to draw his warrant upon the State Treasurer in payment of such amount as allowed by the State Board of Examiners, and appropriating Money in payment of such claim."

There being no objection, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 85, introduced by Besancon, respectfully report as follows: That House Bill No. 85 do not pass, but that Substitute for House Bill No. 85: A Bill for an Act entitled: "An Act relating to delinquent taxes and special assessments of cities and towns; providing that such delinquent taxes and assessments shall be certified to the County Treasurer and that such delinquent taxes and assessments shall be included by the County Treasurer in all tax sales made by him," do pass.

DONALDSON, Chairman."

On motion of Bricker, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 99, introduced by Plumer, respectfully report as follows: That House Bill No. 99 be printed and placed on General Orders.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on State Institutions, Public buildings and Grounds, having had under consideration House Bill No. 107, introduced by Reed, respectfully report as follows: That House Bill No. 107 be amended as follows: "By striking out in Section 1, Subdivision (2) beginning in line (4) 'by the State Board of Examiners, which Board shall also fix such deputy's salary and the salary of said clerks;' and insert in lieu thereof 'by said Registrar of Motor Vehicles, the salary of which deputy and the salaries of which clerks shall be fixed by the State Board of Examiners' ", and as amended bill do pass.

ARNOLD, Chairman."

On motion of Arnold, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 124, introduced by Stambaugh, respectfully report as follows: That House Bill No. 124 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 80, introduced by White, Warren, Gustafson, and Jones of Cascade, respectfully report as follows: That House Bill No. 80 be amended as follows:

Section 1. By striking out in lines 6 and 7 the words and figures, "Ten Thousand Dollars (\$10,000.00)", and inserting in lieu thereof the words and figures, "Five Thousand Dollars (\$5,000.00)."

Section 2. By striking out in lines 6 and 7 the words and figures, "Ten Thousand Dollars (\$10,000.00)", and inserting in lieu thereof the words and figures, "Five Thousand Dollars (\$5,000.00)."

Recommended that the said bill after so amended, do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration, House Bill No. 110, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 110 be amended as follows:

By adding to Section after sub-division (3) of the appropriation for the State Land Office the following:

(4) For the expenses of compiling State Land Abstracts and Records, Twenty-five Hundred Dollars\$ 2,500.00

By adding to Section 2, after Subdivision (3) of the Appropriation for the State Land Office the following:

(4) For expenses of compiling State Land Abstracts and Records, Twenty-five Hundred Dollars\$2,500.00

Recommend that the said bill after so amended do pass.

REED, Chairman."

On motion of Reed, report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 118, introduced by Bricker and Besancon, respectfully report as follows: That House Bill No. 118 do pass.

MOSS, Chairman."

On motion of Moss, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 119, introduced by Bricker and Besancon, respectfully report as follows: That House Bill No. 119 do pass.

MOSS, Chairman."

On motion of Moss, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 137, introduced by Committee on Education, by request, respectfully report as follows: That House Bill No. 137 be printed without recommendation and placed on General Orders.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, the majority of the Committee on Highways, having had under consideration House Bill No. 117, introduced by Bricker and Besancon, respectfully report as follows: That House Bill No. 117 do pass.

GREEN.
DARLINTON.
HAGERTY.
JOHNSON.
KNOWLES.
LILLIS.
WILLARD.
STEEVES.
NELSTEAD.
HOLTON.
SHIELDS.
KELLY.
ABRAHAMSON.
MOSS, Chairman."

"Mr. Speaker: We, the minority of your Committee on Highways, having been under consideration House Bill No. 117, introduced by Bricker and Besancon, respectfully report as follows: That House Bill No. 117 do not pass.

LOWRY."

Moved by Moss, duly seconded, that the majority report be adopted.

Moved by Lowry, as a substitute motion, duly seconded that the minority report be adopted.

Question arising on the substitute motion, same failed.

Question arising on the original motion, same carried.

THIRD READING OF HOUSE BILLS

House Bill No. 63, introduced by Foot, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Dougherty, Erickson, Foot, Flachsenhar, Goodwin, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Lincoln), Moss, Moulton, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rorvik, Ryder, Sample, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Adair, Benjamin, Bretzke, Doran, Dunn, Fulsher, Green (Fergus), Hodgskiss, Jones (Ravalli), Kelly, Knight, Miller (Fergus), Mulholland, Murphy, Rognlien, Stambaugh. Total—16.

On motion of Holton, there being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second time by title only and referred to Education Committee.

House Bill No. 147, introduced by Holton, Ryder and Waite: A Bill for an Act entitled: "An Act to amend Section 1281 of the Revised Codes of Montana, 1921, relating to the levy for high school purposes in counties not maintaining a county high school."

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House resolve itself into Committee of the Whole for the consideration of General Orders.

Mr. Burns in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 53 and House Bill No. 94, respectfully report as follows: That House Bill No. 53 do pass.

On motion committee arose and reported.

BURNS, Chairman"

On motion of Burns, report adopted.

On motion of Troy, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Troy, duly seconded and carried, that House Bill No. 53 be considered properly engrossed and placed on Third Reading.

On motion of Bricker, there being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

House Bill No. 53, introduced by Abrahamson, Mulholland, Tierney, Burns, Jones (Phillips), Nelson, Johnson, Bretzke, Curran, Benson, Gustafson, Woodcock, Benjamin, Hodgskiss, Miller of Lincoln, Akofer, Sparling, Bonine, Troy, Burke, Bricker, Dellwo, Lowry, Plank, Lamb, Hagerty,

Cavanaugh, Goodwin, Donaldson, Ryder, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benson, Barry, Besancon, Bonine, Bricker, Budas, Burke, Burns, Cavanaugh, Clarke, Clausen, Curran, Darlinton, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Dawson), Gustafson, Hardcastle, Harris, Holton, Jameson, Johnson, Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Lincoln), Moss, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rorvik, Ryder, Sample, Sparling, Steeves, Sutton, Thorburn, Throssel, Tinsley, Troy, Waite, Warren. Westlake, White, Willard, Woodcock, Mr. Speaker. Total—75.

Noes: Brown, Chatham, Cheadle, Cooney, Foot, Hagerty, Jensen, Jones (Phillips), Moulton, O'Day, Rockwood, Shields. Total—12.

Absent and not voting: Adair, Benjamin, Bretzke, Doran, Fulsher, Green (Fergus), Hodgskiss, Jones (Ravalli), Knight, Miller (Fergus), Mulholland, Murphy, Rognlien, Stambaugh, Tierney. Total—15.

Moved by Bricker, duly seconded and carried, that in honor of M. D. Steeves of Park County, who is celebrating his 64th birthday, the House adjourn until 11:00 A. M., January 31, 1927.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

TWENTY-NINTH DAY

House of Representatives,
Helena, Montana, January 31, 1927.

House convened pursuant to adjournment at 11:00 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all present except: Benjamin, absent; Besancon, absent; Bretzke, excused by Speaker until noon; Brown, excused by Speaker until Wednesday; Fulsher, excused on account of illness; Green of Fergus, excused on account of illness; Hodgskiss, absent; Jones of Cascade, absent; O'Day, absent; Shields, absent.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the twenty-seventh legislative day, find the same to be correct.

G. W. DARLINTON, Chairman.

On motion of Darlinton, report adopted.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Burns: A Bill for an Act entitled: "An Act authoriizng the Attorney General to call an annual conference of County Attorneys."

By Dougherty, Woodcock, Jones of Phillips, Jones of Ravalli: A Bill for an Act entitled: "An Act to provide for the assessment and collection of a dog license tax, fixing license fees, providing for tags, giving authority to killing livestock destroying dogs, damage action, how tried, proof, charges how paid, payment of damages not bar civil action, witness fees how paid, cities and towns having license ordinances exempt; penalty for violation of this Act."

By Fish and Game Committee: A Bill for an Act entitled: "An Act amending Sections 3654, 3683, 3689, 3691, 3734, 3736, of the Revised Codes of Montana of 1921, Sections 3703, 3732, 3722, 3723, 3730, 3731, 3742, of

the Revised Codes of Montana of 1921, as amended by Chapter 77, Laws of the Eighteenth Legislative Assembly, State of Montana, 1923, and Sections 3655, 3661, 3665, 3681, 3682, 3685, 3694, 3696, 3700, 3701, 3704, 3725, 3733 of the Revised Codes of Montana of 1921, as amended by Chapter 192, Laws of the Nineteenth Legislative Assembly, State of Montana, 1925, relating to compensation of members of fish and game commission; appointment, qualification, duties and salary of State Fish and Game Warden, rating, removal and salary of Deputy Fish and Game Wardens; salary of superintendent of State Fisheries; definitions of terms used; license requirements; classes of license; fees and powers under license; carrying and exhibiting license; exceptions in the application of the provisions of this Act; restrictions on the manner of taking fish and game; open and closed seasons for elk; open and closed seasons for grouse; closed seasons and bag limits of migratory game birds; closed and open seasons for fur-bearing animals; protection of beaver and beaver license; possession, sale and transportation of wild birds; possession of dead bodies of game fish, game and non-game birds, game and fur-bearing animals; shipment out of the State of game and non-game birds, fish, game and fur-bearing animals or parts thereof; permits for shipment of game, etc.; label required on shipments of game, etc., express and other transportation companies receiving game, etc., for transportation or sale, fees for shipping permits; possession, purchase, sale and transportation of game fish, wild birds, game or fur-bearing animals; or parts thereof; and prescribing penalty for violations of the provisions of this Act; and appropriating certain sums to the Fish and Game fund; and repealing Section 3744 of the Revised Codes of Montana of 1921 and all Acts and parts of Acts in conflict with the provisions of this Act."

By Donaldson: A Bill for an Act entitled: "An Act to amend Section 6236 of the Revised Codes of Montana of 1921, as amended by Chapter 145 of the Laws of the Eighteenth Legislative Assembly of Montana, relating to official bonds required of public officers."

By Donaldson: A Bill for an Act entitled: "An Act creating and establishing a Department of Purchases, Audits and Accounts; making the State Board of Examiners, the State Purchasing Department and the office of State Accountant parts of such department; dividing such department into divisions to be known as the Division of Purchases, the Division of Audits and Division of Accounts; providing for a centralized accounting system for the State of Montana and all of its offices, departments, bureaus, institutions, commissions, boards and agencies as of the Division of Accounts; prescribing the powers, authority and duties of such department, and of each of the divisions thereof; and abolishing the office of State Purchasing Agent."

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: 88.

GREEN of Dawson, Chairman."

The Printing Committee reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 52, 84, 97 and House Joint Resolution No. 2 as correctly printed.

COONEY, Chairman."

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 81, introduced by Moss, respectfully report as follows: That House Bill No. 81 be amended as follows:

"By striking from the title in line three thereof, the words 'and National Committeemen', and to further amend House Bill No. 81, by striking out in Section 2, in line three thereof, the words 'and National Committee-

men', and to further amend House Bill No. 81 by striking out in Section 6 in lines 5 and 6 thereof the words 'and National Committeemen', and to further amend said House Bill No. 81 by adding an additional Section to be numbered Section 9 to read as follows:

"For the purpose of defraying the expenses of the delegates to the National convention there shall be paid from the general fund of the State of Montana the sum of \$200.00 to each delegate or alternate attending the respective National convention and participating therein as such delegate," and to further amend House Bill No. 81, introduced by Moss, by renumbering Section 9 to read "Section 10" in said bill, and as so amended, the bill do pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration, House Bill No. 135, introduced by Jameson, respectfully report as follows: That House Bill No. 135 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration, House Bill No. 105, introduced by Rognlien, respectfully report as follows: That House Bill No. 105 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 116, introduced by Hodgskiss, respectfully report as follows: That House Bill No. 116 do pass.

LEAVENS, Chairman."

On motion of Leavens, report adopted.

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 121, introduced by Hodgskiss, respectfully report as follows: That House Bill No. 121 do pass.

LEAVENS, Chairman."

On motion of Leavens, report adopted.

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration, House Bill No. 143, introduced by Livestock and Public Ranges Committee, respectfully report as follows: That House Bill No. 143 do pass.

LEAVENS, Chairman."

On motion of Leavens, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second time by title only and referred to Committee on Banks and Banking:

House Bill No. 148, introduced by Sparling, Larson, Tierney and Rorvik: A Bill for an Act entitled: "An Act to provide for the security of deposits in banks organized and existing under the Laws of Montana, creating the Bank Depositors Guarantee Fund, the Bankers' Administration Fund and the Bankers' Conservation Fund of Montana and providing regulations therefor; creating the Guarantee Fund Commission of Montana; regulating receiverships and providing penalties for the violation of this Act."

MOTIONS AND RESOLUTIONS

By Bricker: I move, inasmuch as we have had a request from a photographer to take a picture of the House, that he be granted permission to take such a picture on Wednesday morning, February 2, after the Order of Business on that day. Motion duly seconded and carried.

By Waite: I move that House Bill No. 4 be taken from General Orders and placed on Special Order of Business for Thursday, February 3 at 2 o'clock. Motion duly seconded and carried.

By Bricker: I move that, inasmuch as Mrs. Drake, an employee of the House, has had the misfortune of losing her son night before last, the Speaker appoint three members to solicit from the members whatever they feel like giving, and that same be sent to her as a donation from the members of the House. Motion duly seconded and carried.

By Bricker: I move that the House extend an invitation to Ernest Immel to come down and participate in the mock session this year. Motion duly seconded and carried.

Moved by Bricker, duly seconded and carried, that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

Mr. Speaker excused Harris until Friday.

On motion of White, there being no objections, House reverted to Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By White, Leavens, and Jones of Cascade: A Bill for an Act entitled: "An Act to amend Chapter 23 of the Revised Codes of Montana relating to the custodian of records of Grand Army of Republic."

By Cavanaugh: A Bill for an Act entitled: "An Act to amend Section 8383 and 8384 of the Revised Codes of Montana of 1921, relating to Agister's liens, and liens for service in relation to personal property."

By Cheadle, Green (Fergus), Miller (Fergus), and Moulton: A Bill for an Act entitled: "An Act to amend Section 4549 of the Revised Codes of Montana, 1921, relating to appropriations and tax levies for county fairs and the purposes for which same shall be used."

By Cheadle, Green of Fergus, Miller of Fergus, and Moulton: A Bill for an Act entitled: "An Act to amend Section 4545 of the Revised Codes of Montana, 1921, relating to the appointment, qualification and term of office of County Fair Commissioners."

On motion of Bricker, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Ways and Means, having had under consideration, House Bill No. 112, introduced by Jones of Phillips, Troy, Green of Fergus, Sutton, Steeves, Nelson, Donaldson, Leavitt, Gustafson, Bonine, Dellwo, respectfully report as follows: That House Bill No. 112 be printed and placed on General Orders.

TROY, Chairman."

On motion of Troy, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration, House Bill No. 9, introduced by Donaldson and Flachsenhar, respectfully report as follows: That House Bill No. 9 do pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on Mines and Mining, having had under consideration House Bill No. 138, introduced by Leavens, respectfully report as follows: That House Bill No. 138 do pass.

CAVANAUGH, Chairman."

On motion of Cavanaugh, report adopted.

"Mr. Speaker: We, your Committee on Mines and Mining, having had under consideration House Bill No. 139, introduced by Leavens, respectfully report as follows: That House Bill No. 139 do pass.

CAVANAUGH, Chairman."

On motion of Cavanaugh, report adopted.

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration, Senate Joint Resolution No. 2, introduced by Shelver respectfully report as follows: That Senate Joint Resolution No. 2 be concurred in.

STAMBAUGH, Chairman."

On motion of Stambaugh, report adopted.

Mr. Speaker announced the following committee to solicit for the donation to Mrs. Drake: Darlinton of Gallatin, chairman; Clarke of Rosebud, Murphy of Deer Lodge.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried that the House resolve itself into Committee of the Whole for consideration of General Orders with the rule that proponents and opponents of bills be given five minutes and others three minutes to discuss the main bill; and that on amendments proponents and opponents be given three minutes and others two minutes with no trading of time, and that the bills be read by history, title and section numbers only, except appropriation bills which should be read at length.

Mr. Cooney in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 94, 17, 45, 62, 73, 74, 76, 93, 101, 104, respectfully report as follows: That House Bill No. 94 do not pass.

That House Bill No. 17 be passed for the day.

That House Bill No. 45 do pass.

That House Bill No. 62 do pass.

That House Bill No. 73 do pass.

That House Bill No. 74 be amended as follows: Section 2, by inserting in line 5 after the word "to-wit", the word "cutting".

Section 6, by striking out in line 1 the words "Medical Examiners" and inserting in lieu thereof the word "health".

Section 29, by striking out in line 2 the words "and continuous".

Section 37, by striking out all of Section 37; and that as amended same do pass.

That House Bill No. 76 do pass.

That House Bill No. 93 be passed for the time.

That House Bill No. 101 be passed until tomorrow.

That House Bill No. 104 do pass.

COONEY, Chairman."

On motion of Cooney, report adopted.

On motion of Bricker, there being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

House Bill No. 88, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Gustafson, Hagerty, Hardecastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—93.

Noes: None.

Absent and not voting: Besancon, Brown, Doran, Fulsher, Green (Fergus), Green (Dawson), Jones (Ravalli), Knowles, Tierney. Total—9.

Mr. Speaker gave notice that he was about to sign Senate Bill No. 6 and Senate Bill No. 19, and thereupon signed the same.

On motion of Holton, there being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

House Bill No. 149, introduced by Rognlien: A Bill for an Act entitled: "An Act to amend Section 8897 of the Revised Codes of Montana, 1921, by prescribing the number of names to be included in the jury list." Referred to Judiciary Committee.

House Bill No. 150, introduced by Marshall, Dellwo, Stambaugh, and Holton: A Bill for an Act entitled: "An Act for the protection of the forest and forest lands within the State of Montana and to repeal Section 2765, 2771, 2772 and 2773 of the Revised Codes of Montana and all other Acts and parts of Acts in conflict herewith." Referred to Committee on Conservation of Natural Resources.

House Bill No. 151, introduced by Dellwo, Burns, and Warren: A Bill for an Act entitled: "An Act to amend Chapter 254 of the Revised Codes of Montana 1921 by adding one Section thereto to be known as Section 3566A relating to eradication of bee diseases by counties." Referred to Ways and Means Committee.

On motion of Nelson, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: "We, your Committee on Fish and Game, having had under consideration, House Bill No. 122, introduced by Fish and Game Committee, respectfully report as follows: That House Bill No. 122 do pass. NELSON, Chairman."

On motion of Nelson, report adopted.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:30 A. M., February 1, 1927.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

THIRTIETH DAY

House of Representatives,
Helena, Montana, February 1, 1927.

House convened pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all members present except: Brown, excused by Speaker until Wednesday; Fulsher, excused on account of illness; Harris, excused by Speaker until Friday.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the twenty-ninth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman.

On motion of Darlington, report adopted.

COMMUNICATIONS AND PETITIONS

The following communication was received from the Board of Railroad Commissioners:

Helena, Montana, January 31, 1927.

"To the Honorable, the Senate of the State of Montana:

"To the Honorable, the House of Representatives of the State of Montana:

The Board of Railroad Commissioners of Montana was handed copy of the following telegram this January 31, 1927, by Mr. M. S. Gunn, Montana counsel for the Northern Pacific Railway:

"St. Paul, January 30, 1927.

"M. S. GUNN, Helena, Montana.

Please arrange with Governor Erickson and members of Board of Railroad Commissioners for a meeting Wednesday, February 2nd, with Mr. Countryman of the Great Northern and Mr. Lyons of the Northern Pacific. They are going to Helena to explain fully to people of Montana through their officials proposed plan of consolidation. Mr. Budd and I will be in Helena a few days later and will call on Governor and Railroad Commission. Please say that only purpose of visits is to inform people and that it is not intended to ask anyone to form or express any opinion at this time. Transportation Act provides that when application is made to Interstate Commerce Commission for approval of plan, notice must be given governors of states and public hearings held before any decision by Interstate Commerce Commission. These hearings will be held later.

CHARLES DONNELLY."

"The Board of Railroad Commissioners invites the Railroads and Transportation Committees of the Senate and House of the Twentieth Legislative Assembly to be present at said meeting on Wednesday, February 2, 1927.

"By order of the Board of Railroad Commissioners.

By E. G. TOOMEY, Secretary."

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Jones of Cascade, Westlake and Jones of Ravalli: A Bill for an Act entitled: "An Act to amend Section 3130 of the Revised Codes of the State of Montana of 1921 relating to the practice of osteopathy."

By Budas: A Bill for an Act entitled: "An Act requiring notice of delinquent taxes to be given to taxpayers in June of each year."

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 73, 76, 45, 62, 104
GREEN of Dawson, Chairman."

"Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 71, introduced by Cavanaugh and Throssel, respectfully report as follows: That House Bill No. 71 do not pass.

CLAUSEN, Chairman."

On motion of Clausen, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second time by title only, and referred to standing committees:

House Bill No. 152, introduced by Burns: A Bill for an Act entitled: "An Act authorizing the Attorney General to call an annual conference of County Attorneys." Referred to Committee on Judiciary.

House Bill No. 153, introduced by Dougherty, Woodcock, Jones of Phillips and Jones of Ravalli: A Bill for an Act entitled: "An Act to provide for the assessment and collection of a dog license tax, fixing license fees, providing for tags, giving authority to killing livestock destroying dogs, damage action, how tried, proof, charges how paid, payment of damages not to bar civil action, witness fees how paid, cities and towns having license ordinances exempt; penalty for violation of this Act." Referred to Committee on Livestock and Public Ranges.

House Bill No. 154, by White, Leavens and Jones of Cascade: A Bill for an Act entitled: "An Act to amend Chapter 23 of the Revised Codes of Montana relating to the custodian of records of Grand Army of Republic." Referred to Committee on Military Affairs.

House Bill No. 155, by Cavanaugh: A Bill for an Act entitled: "An Act to amend Sections 8383 and 8384 of the Revised Codes of Montana of 1921, relating to Agisters' liens and liens for service in relation to personal property." Referred to Committee on Judiciary.

House Bill No. 156, by Cheadle, Green of Fergus, Miller of Fergus and Moulton: A Bill for an Act entitled: "An Act to amend Section 4549 of the Revised Codes of Montana, 1921, relating to appropriations and tax levies for county fairs and the purposes for which same shall be used." Referred to Committee on Townships and Counties.

House Bill No. 157, by Fish and Game Committee: A Bill for an Act entitled: "An Act amending Sections 3654, 3683, 3689, 3691, 3734, 3736 of the Revised Codes of Montana of 1921. Sections 3703, 3722, 3723, 3730, 3731, 3732, 3742, of the Revised Codes of Montana of 1921, as amended by Chapter 77, Laws of the Eighteenth Legislative Assembly. State of Montana, 1923, and Sections 3655, 3656, 3661, 3665, 3681, 3682, 3685, 3694, 3696, 3700, 3701, 3704, 3725, 3733, of the Revised Codes of Montana of 1921, as amended by Chapter 192, Laws of the Nineteenth Legislative Assembly, State of Montana, 1925, relating to compensation of members of Fish and Game Commission; appointment, qualification, duties and salary of State Fish and Game Warden; rating, removal and salary of deputy fish and game wardens; salary of Superintendent of State Fisheries; definitions of terms used; license requirements; classes of license: fees and powers under licenses; carrying and exhibiting license; exceptions in the application of the provisions of this Act; restrictions on the manner of taking fish and game; open and closed seasons for elk; open and closed seasons for grouse; closed season and bag limits of migratory game birds; closed and open seasons for fur-bearing animals; protection of beaver and beaver license: possession, sale and transportation of wild birds; possession of dead bodies of game fish, game and non-game birds, game or fur-bearing animals; shipment out of the state of game and non-game birds, fish, game and fur-bearing animals or parts thereof, permits for shipment of game, etc; label required on shipments of game, etc; express and other transportation companies receiving game, etc.; for transportation or sale; fees for shipping permits; possession, purchase, sale and transportation of game fish, wild bird, game or fur-bearing animal or part thereof; and prescribing penalty for violations of the provision of this Act; and appropriating certain sums to the fish and game fund; and repealing Section 3744 of the Revised Codes of Montana of 1921 and all Acts and parts of Acts in conflict with the provisions of this Act." Referred to Committee on Fish and Game.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried that House Bill No. 150 be recalled from Committee on Conservation of Resources and re-referred to Committee on State Lands.

Moved by Bricker, duly seconded and carried that House Joint Resolution No. 2 be taken from General Orders and made a special order of business tomorrow, February 2, at 2:30 P. M.

Moved by Rognlien, duly seconded and carried that House Bill No. 149 be recalled from the Judiciary Committee and re-referred to Committee on Ways and Means.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried that the communications from the senate be considered read at length and the Journal so show.

Helena, Montana, January 31, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 35, introduced by Knight, Murphy and Burke, was this day read three several times, concurred in, title agreed to, and is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 31, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second times and referred to standing committees:

Senate Bill No. 37, by Corrington and Schnitzler: "An Act to authorize the State Treasurer of the State of Montana to discontinue the carrying of the State Treasurer Vault Fund and to authorize the State Treasurer of the State of Montana to transfer all moneys from said fund to the Capitol Building and Interest and Sinking Fund." Finance and Claims.

Senate Bill No. 38, by Donovan: "An Act to amend Section 8933 of the Revised Codes of Montana of 1921 relating to salary and mileage of court stenographers." Judiciary Committee.

Senate Bill No. 39, by Dell: "An Act to amend Section 721 Revised Codes of Montana 1921, as amended by Chapter 151 Session Laws 1923, relating to absent voters ballots." Privileges and Elections Committee.

Senate Bill No. 40, by Dell: "An Act relating to the borrowing of money, creating of indebtedness and issuing of bonds by incorporated cities and towns, and repealing Sections 5278, 5279, 5280, 5281, 5282, 5283, 5284, 5285, 5286, 5287 and 5288, Revised Codes of Montana 1921." Counties and Towns Committee.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 31, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day received, read first and second times and referred to the Standing Committees:

Substitute for House Bill No. 32—Judiciary Committee.

House Bill No. 38—Judiciary Committee.

House Bill No. 53—Education Committee.

House Bill No. 63—Judiciary Committee.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 31, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows: Report adopted.

That Senate Bill No. 1 do pass.

That Senate Bill No. 22 be amended in the title by striking out in line 3 the word "or" and inserting in lieu thereof a comma, and by inserting after the word "administrator" in line 3 of the title the words "or guardian", and, as amended, it do pass.

That Senate Bill No. 23 do pass.

That House Bill No. 44 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 31, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees have this day reported as follows: Reports adopted.

Committee on Finance and Claims report and recommend that House Bill No. 34 be amended as follows: Amend at line 14, of Section 1, of the engrossed bill by adding the following: "Provided, however, that before said money shall be paid to said Harry M. Courter, that the said Industrial Accident Board shall investigate and determine the validity of said claim, and if said Board shall find that said claim of the said Harry M. Courter would have been a just and valid claim in the sum of \$2250.00 or any less amount, had the same been presented in time, then the said Board is hereby authorized and empowered to pay such amount as said board shall allow, not to exceed \$2250.00", and, as so amended, it be concurred in.

Committee on Finance and Claims report and recommend that House Bill No. 54 be concurred in.

Committee on Sanitary Affairs report that House Bill No. 60 be concurred in.

Committee on Agriculture report that Senate Bill No. 30, by Committee on Education, do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, January 31, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introductions of Bills were this day given:

By McQuitty: "An Act relating to the registration of motor vehicles."

By Cowan, Hazelbaker, McQuitty, Walker and Campbell: "An Act regulating the fiscal management of, fixing the fiscal year for, and controlling and regulating the raising of revenue and the expenditure thereof during each fiscal year by all counties and consolidated cities and counties, and their institutions and agencies; requiring the making and filing of estimates of probable revenues from all sources and proposed expenditures for all purposes during each fiscal year; providing for the making and filing of provisional budgets, for the publication thereof, for public hearings thereon and for the approval and adoption of annual budgets of expenditures to be made for all purposes during each fiscal year; prescribing the manner of paying claims filed after the expiration of the fiscal year; providing for the raising of revenue, in addition to budget estimates and appropriations, by taxation; providing for the payment of floating indebtedness outstanding at the close of the fiscal year ending June 30th, 1927; providing penalties for the violation of provisions of this act; and repealing Sections 224, 225, 226, 227, 228, 229, 230 and 4631 of the Revised Codes of Montana, 1921, and all other Acts and parts of Acts in conflict herewith."

By Cowan, Hazelbaker, McQuitty, Walker and Campbell: "An Act regulating the fiscal management of, fixing the fiscal year for, and controlling and regulating the raising of revenue and the expenditure thereof during each fiscal year by all cities and their institutions and agencies; requiring the making and filing of estimates of probable revenues from all

sources and proposed expenditures for all purposes during the fiscal year; providing for the making and filing of provisional budgets, for the publication thereof, for public hearings thereon, and for the approval and adoption of annual budgets of expenditures to be made for all purposes during each fiscal year; prescribing the manner of paying claims filed after the expiration of the fiscal year; providing for the raising of revenue, in addition to budget estimates and appropriations, by taxation; providing for the payment of floating indebtedness outstanding at the close of the fiscal year ending June 30th, 1927; providing penalties for violation of this Act; and repealing all Acts and parts of Act in conflict herewith."

By Cowan, Hazelbaker, McQuitty, Walker and Campbell: "An Act providing for a budget system for making and controlling estimates, expenditures, budgets and tax levies by, and fixing the fiscal year for first and second class school districts and county high schools; prescribing the duties of boards of school trustees, school clerks, boards of county commissioners and county officers in connection therewith; and providing penalties for violation of the provisions of this Act."

By Kemmis: "An Act to amend Section 3574 of the Revised Codes of Montana of 1921, as amended by Chapter 41, Laws of the Eighteenth Legislative Assembly, relating to the definition of certain terms, and particularly to the term "Grain."

By Wuerthner: "An Act amending Section 273 of the Revised Codes of Montana, 1921, authorizing the State Board of Examiners to fix the number, compensation, term and tenure of office of all assistants, clerks and stenographers employed by civil executive state officers and limiting the compensation to be fixed by said Board to that heretofore allowed by law and providing for report to the Legislative Assembly and repealing all Acts and parts of Acts in conflict herewith."

By Pauline: "An Act to amend Section 5250, Revised Codes of Montana 1921, relating to the manner of making payments under contracts for improvements in special improvement districts of cities and towns."

By Hazelbaker: "An Act providing a commission form of government for counties, providing for the election and appointment of officers therein, defining their powers and duties, and providing for their compensation."

By Goodman: "A Bill submitting to the electors of the State of Montana an amendment to the State Constitution, providing for the election of five Justices of the Supreme Court of this State and providing the method of selecting the Chief Justice thereof."

By Greenup: "An Act amending Section 11179 of Revised Codes of Montana 1921, relating to city or town ordinances concerning gambling and gambling houses, by permitting cities and towns to enact ordinances prohibiting gambling and gambling houses."

By Kane: "An Act to amend Section 101 of the Revised Codes of Montana of 1921, relating to the comparing of the signatures of initiative and referendum petitions."

Respectfully,

J. F. CONE, Secretary of Senate."

THIRD READING OF HOUSE BILLS

House Bill No. 104, having been read three several times, title and history agreed to, was rejected by the following vote:

Ayes: Arnold, Ballard, Benson, Besancon, Bonine, Bretzke, Bricker, Budas, Burns, Cheadle, Clarke, Curran, Donaldson, Dougherty, Foot, Flachsenhar, Gustafson, Hodgskiss, Jameson, Johnson, Jones (Cascade), Knight, Leavens, Lillis, Logan, McLeod, Marshall, Merritt, Moss, Nelstead, Plank, Plumer, Reed, Rockwood, Rognlien, Ryder, Sparling, Throssel, Tierney, Tinsley, Troy, Westlake, White, Willard, Mr. Speaker. Total—45.

Noes: Abrahamson, Adair, Akofer, Benjamin, Barry, Burke, Cavanaugh, Chatham, Clausen, Cooney, Darlinton, Dellwo, Doran, Dunn, Erickson, Goodwin, Green (Fergus), Green (Dawson), Hagerty, Hardcastle,

Holton, Jensen, Jones (Phillips), Kelly, Kroman, Lamb, Larson, Leavitt, Lowry, McCleary, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Prescott, Rife, Rorvik, Sample, Shields, Stambaugh, Steeves, Sutton, Thorburn, Warren, Woodcock. Total—51.

Absent and not voting: Brown, Fulsher, Harris, Jones (Ravalli), Knowles, Waite. Total—6.

House Bill No. 76, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—90.

Noes: Clausen, Foot, Plumer, Rockwood, Steeves. Total—5.

Absent and not voting: Brown, Dougherty, Fulsher, Harris, Jones (Ravalli), Knowles, Waite. Total—7.

House Bill No. 73, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—93.

Noes: Cooney, Mulholland. Total—2.

Absent and not voting: Brown, Fulsher, Harris, Jameson, Jones (Ravalli), Knowles, Waite. Total—7.

House Bill No. 62, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Arnold, Benson, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McLeod, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tiernev, Tinsley, Troy, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Barry, Besancon, Chatham, Kelly, McCleary, Mason. Total—11.

Absent and not voting: Brown, Fulsher, Harris, Jones (Ravalli), Knowles, Moss, Waite, White. Total—8.

House Bill No. 45, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harcastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—92.

Noes: Cavanaugh. Total—1.

Absent and not voting: Bricker, Brown, Doran, Fulsher, Harris, Jones (Ravalli), Knowles, Reed, Waite. Total—9.

CONSIDERATION OF GENERAL ORDERS

Moved by Moss, duly seconded and carried, that the House resolve itself into Committee of the Whole for consideration of General Orders and that proponents and opponents of bills be given five minutes and other three minutes for discussion of the main bill; and that on amendments proponents and opponents be given three minutes, and others two minutes.

Mr. Goodwin in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 17, and House Bill No. 93, respectfully report as follows: That House Bill No. 17 do pass.

That House Bill No. 93 be amended as follows:

Section 1: By striking out in line 7 the word "five" and inserting in lieu thereof the word "seven"; and that as amended said House Bill No. 93 be re-referred to Committee on Townships and Counties.

GOODWIN, Chairman."

On motion of Goodwin, report adopted.

Mr. Darlington, chairman of the committee appointed to subscribe for the donation to Mrs. Drake, reported that the committee had collected \$100.00.

Moved by Bricker, duly seconded and carried, that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House resolve itself into Committee of the Whole for consideration of General Orders and that the same rule apply with regard to discussion of bills, as did this morning, with the addition that each member be allowed to talk once only on amendments, except proponents and opponents of bills.

Mr. Goodwin in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 101, Substitute for House Bills Nos. 49 and 59, House Bills Nos. 52, 84, 97 and Senate Joint Resolution No. 2, respectfully report as follows: That House Bill No. 101 do pass:

That Substitute for House Bills, Nos. 49 and 59 be passed for the time.

That House Bill No. 52 be amended as follows:

Section 3: By striking out in line 4, after the word "barber", the words "and only one apprentice shall be employed in any licensed shop."

Section 4: By striking out lines 9, 10 and 11 inclusive.

Section 23: By striking out in line 6 after the word "beard", the words: "or cutting the hair."

Section 25: By striking out all of Section 25;

And that as so amended said House Bill No. 52 do pass.

That House Bill No. 84 do pass.

That House Bill No. 97 do not pass.

That Senate Joint Resolution No. 2 be concurred in.

GOODWIN, Chairman."

On motion of Goodwin, report adopted.

On motion of Bricker, there being no objections, House reverted to Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduced bills as follows:

By Curran: A Bill for an Act entitled: "An Act to amend Section 633 of the Revised Codes of Montana of 1921, relating to primary nominating election notices."

By Miller of Lincoln, by request: A Bill for an Act entitled: "An Act to appropriate money from the Industrial Accident Fund of the State of Montana for payment of compensation on the claim of William Goede, which claim was disallowed by the Industrial Accident Board because it was not presented within six months following the date of the injury."

By Rognlien: A Bill for an Act entitled: "An Act to amend Sections 1626, 1629 of the Revised Codes of Montana, 1921, relating to employment of laborers, teams and implements by road supervisors and method of paying for the same by providing that the claims arising hereunder may be sworn to before the road supervisor."

By Fish and Game Committee: A Bill for an Act entitled: "An Act defining, regulating and providing for the licensing of fur dealers and their agents and providing penalties for the violation of this Act."

On motion of Bricker, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

Helena, Montana, February 1, 1927.

"Mr. Speaker: We, your Committee on Employment, have this day transferred Mr. Wolverton from the position of doorkeeper to the position of janitor.

RYDER, Chairman."

On motion of Ryder, report adopted.

"Mr. Speaker: We, your committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 133, introduced by Cheadle, respectfully report as follows: That House Bill No. 133 do pass.

WILLARD, Chairman."

On motion of Willard, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 127, introduced by Sample, respectfully report as follows: That House Bill No. 127 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 108, introduced by Cavanaugh, respectfully report as follows: That House Bill No. 108 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 100, introduced by Westlake, respectfully report as follows: That House Bill No. 100 be amended as follows: By striking out all of Section 3 therefrom; and that as so amended House Bill No. 100 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 128, introduced by Lillis, respectfully report as follows: That House Bill No. 128 do pass.

CLARKE, Chairman."

On motion of Clarke, report adopted.

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill No. 35.

WAITE, Chairman."

"Mr. Chairman: We, your Committee on State Boards and Officers, having had under consideration a motion by Bricker of Judith Basin County authorizing the recapitulation of the incidental expenses for the Nineteenth Assembly, beg to report as follows:

INCIDENTAL EXPENSES. 19TH ASSEMBLY

1. Miscellaneous Supplies	\$18,194.3
2. Stamps, Wrappers	1,251.5
3. Traveling Expenses	48.9
4. Telephone and Telegraph	113.2
5. Repairs	6.0
6. Rentals of typewriters, etc.	548.8
7. Express	1.0
8. Services	848.8
State Pub. Co. 7-14-25—300 House Journals.....	2,206.2
State Pub. Co. 7-10-25—1000 Session Laws.....	3,432.1
State Pub. Co. 7-10-25—300 Senate Journals.....	2,049.2
Express on same	4.5
State Pub. Co.—5000 Reprints Session Laws.....	275.0
Bancroft Whitney Co.—50 sets Revised Codes Mont. 1921.....	750.0

ERICKSON, Vice-Chairman."

On motion of Erickson, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration a motion that inventory be made of the property belonging to the Legislative Department, submit herewith said inventory insofar as it is able to get it at this time, and recommend that this be turned over to the Sergeant-at-Arms for verification and addition as they may be found.

STATE OF MONTANA
LEGISLATIVE ROOMS FURNITURE

On Hand Jan. 26, 1927	On Hand June 1, 1926
38—Typewriter Desks	20
37—Typewriter Chairs	22
210—Arm Chairs	196
6—Straight Chairs	6
18—Long Oak Tables	15
4—Small Oak Tables	6
4—Oak Rolltop Desks	4
351—Leather covered Opera Seats	303
63 Mahogany Swivel Chairs	59
35—Mahogany Arm Chairs	29
3—Long Mahogany Tables	3
3—Art Metal Document Files	2
3—Hall Trees	4
7—12 by 12 Green Rugs	7
1—Art Metal Safe	1
1—Mahogany Bookcase	1
1—Bill Case	1
2—Speakers' Desks	2
109—Legislators' Small Desks	108
1—House Carpet	1
109—Swivel Chairs	98
1—Speaker's Chair	1
1—Metal Wastebasket	1
3—Oak Press Tables	3
2—Clerk's Reading Tables	2
2—Clocks	2
3 Blackboards and Stands	3
22—Oak Benches	16
149—Wicker Wastebaskets	0
8—Leather Benches	7
5—Leather Chairs	5
184—Lockers	161
2—Mahogany Glasstop Desks	0
2—Mahogany Rolltop Desks	2
146—Brass Cuspidors	163
33—Wire Wastebaskets	163
1—Carpet (Lobby)	1
10—Mahogany Typewriter Desks	8
1—Leather Couch	1
2—Wood Document Files	2
12—Leather Settees	12
1—Oak Bill Case	1
1—President of Senate's Chair	1
1—Mahogany Desk	1
7—Mahogany Swivel Chairs	12
2—Liquid Stands	2
2—Mail Baskets	2

ERICKSON, Vice-Chairman."

On motion of Erickson, report adopted.

On motion of Bricker, there being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS AND
SECOND READING OF SAME

The following bills were introduced, read first and second time by title only, and referred to standing committees:

House Bill No. 158, by Cheadle, Green of Fergus, Miller of Fergus and Moulton: A Bill for an Act entitled: "An Act to amend Section 4545 of the Revised Codes of Montana, 1921, relating to the appointment, qualification and term of office of county fair commissioners." Referred to Committee on Judiciary.

The following bills were introduced, read at length and referred to Appropriations Committee.

House Bill No. 160, by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the Livestock Sanitary Board for the years beginning July 1, 1927, and ending June 30, 1929."

House Bill No. 161, by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate funds for the operation and maintenance of certain of the State's Institutions for the period beginning July 1, 1927 and ending June 30, 1929."

House Bill No. 162, by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of certain of the boards, commissions and departments of the State of Montana for the period beginning July 1, 1927, and ending June 30, 1929."

House Bill No. 163, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the State Forester for the period beginning July 1, 1927, and ending June 30, 1929."

House Bill No. 164, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the Department of Agriculture, Labor and Industry for the period beginning July 1, 1927, and ending June 30, 1929."

Mr. Speaker announced that he was about to sign House Bill No. 38 and thereupon signed same.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Governor's office:

Helena, Montana, February 1, 1927.

The Speaker, House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

House Bill No. 19—Appropriation for the refund of overpayment of certain taxes, etc.

House Bill No. 20—Relating to monthly maintenance allowance for persons receiving vocational training.

J. E. ERICKSON, Governor."

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 14, introduced by Adair, and House Bill No. 43, introduced by Flachsenhar, were this day, on recommendation of the Committee on Education, not concurred in. Reports adopted and bills are herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 44, introduced by Jones of Cascade, was this day

read three several times, concurred in, title agreed to and is herewith returned to the House.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 88, introduced by Committee on Appropriations, was this day read first and second times and referred to the Committee on Finance and Claims.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows:

That S. B. No. 12 do pass.

That S. B. No. 31 be amended in Section 5 by striking out Section 5 entirely and inserting in lieu thereof the words: "Section 5. The said delinquent tax list shall be published one time only at each publication provided for in Section 1, in the official paper of the county in which publication occurs, all names and descriptions shall be set in six point type, solid, single column, and heading shall be set in type not larger than eight point", and, as amended, it do pass.

That House Bill No. 72 be amended in Section 1 by placing in line 31, Section 1, a comma after the word "for" and inserting thereafter the words, "and shall file a declaration in writing of his intention to become a candidate with the County Clerk if the nominations is for a county office, or with the Secretary of State if the nomination is for District Judge or other state office, not less than 40 days before the general election. Also in Section 1, by striking out in line 9 of the printed bill. the words "has been" and inserting in lieu thereof the word "is", and, as amended, it be concurred in.

Report adopted.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introductions of Bills were this day given:

By Kemmis, Donovan, Johnson, Dell, Bergstrom, Taylor: "A Resolution petitioning Congress to intercede on behalf of the people of Montana to oppose action on the part of the interstate commerce commission authorizing the consolidation of railroads without the consent of the people affected."

By Ruffcorn: "An Act to amend Section 105 of the Revised Codes of Montana of 1921 relating to the printing and distribution of initiative and referendum measures."

By Hazelbaker: "An Act authorizing counties, school districts, public libraries, hospitals, cemeteries, and other public institutions to receive gifts, donations, grants, devises or bequests of property."

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees have this day reported as follows: Reports adopted.

Committee on Counties and Towns report that Senate Bill No. 25 be amended as follows:

Amend Subsection 13, page 3, line 18, by spelling the word "established" correctly.

Amend Subsection 56, page 8, line 19, by striking out the word "the" before "sealer", and inserting the letter "a".

Amend Subsection 77, page 14, line 9, by spelling the word "census" correctly.; and, as so amended, it do pass.

Committee on Finance and Claims report that S. B. No. 24 be amended as follows:

Amend S. B. No. 24 in line 17, section 2, by striking out the word "boundary" and inserting in lieu thereof the word "boundaries."

Amend at line 26, of Section 2, by inserting the word "finally" between the words "be" and "adopted."

Amend at line 27, of Section 2, by inserting the word "written" between the words "after" and "disapproval".

Amend at line 28 of Section 2 by striking out the period after the word "excluded" and inserting in lieu thereof a comma, and adding the following after the comma: "Nor after written disapproval or protest by a majority of the owners in value of property within the corporate limits of said city or town immediately adjacent and contiguous to the territory sought to be excluded. That for the purposes of this Act the words "contiguous" and "adjacent" shall include property on the opposite side of a street or alley from the property sought to be withdrawn"; and, as so amended, the bill do pass.

Committee on Education report that H. B. No. 53 be concurred in.

Committee on Education report that H. B. No. 14 be not concurred in.

Committee on Education report that S. B. No. 26 do not pass, but that a substitute bill for Senate Bill No. 26, introduced by the Committee on Education, do pass.

Committee on Education report that H. B. No. 43 be not concurred in.

Committee on Finance and Claims report that S. B. No. 37 do pass.

Committee on Agriculture report that Senate Joint Resolution No. 1 do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second times and referred to the standing committees:

S. B. No. 41, by Greenup: "An Act amending Section 11179 of the Revised Codes of Montana 1921, relating to city or town ordinances concerning gambling and gambling houses, by permitting cities and towns to enact ordinances prohibiting gambling and gambling houses." Public Morals Committee.

S. B. No. 42, by Kane: "An Act to amend Section 101 of the Revised Codes of Montana of 1921, relating to the comparing of the signature of initiative and referendum petitions." Privileges and Elections Committee.

S. B. No. 43, by Wuerthner: "An Act amending Section 273 of the Revised Codes of Montana, 1921, authorizing the State Board of Examiners to fix the number, compensation, term and tenure of office of all assistants, clerks and stenographers employed by civil executive state officers and limiting the compensation to be fixed by said board to that heretofore allowed by law and providing for report to the Legislative Assembly after repealing all Acts or parts of Acts in conflict herewith." Finance and Claims Committee.

S. B. No. 44, by Cowan, Hazelbaker, McQuitty, Walker and John Campbell: "An Act providing for a budget system for making and controlling estimates, expenditures, budgets and tax levies by, and fixing the fiscal

year for first and second class school districts and county high schools; prescribing the duties of Boards of School Trustees, School Clerks, Board of County Commissioners and County Officers in connection therewith; and providing penalties for violations of the provisions of this Act." Education Committee.

S. B. No. 45, by Committee on Livestock and Grazing: "An Act defining the powers of State Stock Inspectors inspecting livestock on removal from one county to another within the State of Montana; authorizing the seizure and sale of such livestock under certain conditions and providing for the disposal of the proceeds thereof." Livestock and Grazing Committee.

S. B. No. 46, by Cowan, Hazelbaker, McQuitty, Walker and Campbell: "An Act regulating the fiscal management of, fixing the fiscal year for, and controlling and regulating the raising of revenue and the expenditure hereof during each fiscal year by all cities and their institutions and agencies; requiring the making and filing of estimates of probable revenues from all sources and proposed expenditures for all purposes during each fiscal year; providing for the making and filing of provisional budgets, for the publication thereof, for public hearings thereon and for the approval and adoption of annual budgets of expenditures to be made for all purposes during each fiscal year; prescribing the manner of paying claims filed after the expiration of the fiscal year; providing for the raising of revenue, in addition to budget estimates and appropriations, by taxation; providing for the payment of floating indebtedness outstanding at the close of the fiscal year ending June 30th, 1927; providing penalties for the violation of provisions of this Act; and repealing all Acts and parts of Acts in conflict herewith." Taxation Committee.

S. B. No. 47, by Cowan, Hazelbaker, McQuitty, Walker and John Campbell: "An Act regulating the fiscal management of, fixing the fiscal year for, and controlling and regulating the raising of revenue and the expenditure thereof during each fiscal year by all counties and consolidated cities and counties, and their institutions and agencies; requiring the making and filing of estimates of probable revenues from all sources and proposed expenditures for all purposes during each fiscal year; providing for the making and filing of provisional budgets, for the publication thereof, for public hearings thereon and for the approval and adoption of annual budgets of expenditures to be made for all purposes during each fiscal year; prescribing the manner of paying claims filed after the expiration of the fiscal year; providing for the raising of revenue, in addition to budget estimates and appropriations, by taxation; providing for the payment of floating indebtedness outstanding at the close of the fiscal year ending June 30th, 1927; providing penalties for the violation of provisions of this Act; and repealing Sections 224, 225, 226, 227, 228, 229, 230 and 4631, of the Revised Codes of Montana, 1921, and all other Acts and parts of Acts in conflict herewith." Taxation Committee.

S. J. R. No. 4, by Committee on Agriculture: "A resolution expressing the desire of the people of the State of Montana to His Excellency the President of the United States of America and to the Congress of the United States that they take into consideration the necessity on the part of the agricultural interests of the State of Montana for legislation to relieve the present depression which exists in that industry and setting forth the causes and some suggestions for a solution." Agriculture Committee.

Respectfully,

J. F. CONE, Secretary of Senate."

Committee on Printing reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 99, 117, 118, 137 as correctly printed.

COONEY, Chairman."

Moved by Bricker, duly seconded and carried, that the House adjourn until 11:00 A. M. Wednesday, February 2, 1927.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

THIRTY-FIRST DAY

House of Representatives,
Helena, Montana, February 2, 1927.

House convened, pursuant to adjournment at 11:00 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all present except: Brown, excused by Speaker; Fulsher, excused on account of illness; Harris, excused by Speaker; Jones of Ravalli, excused on account of illness.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirtieth legislative day, find the same to be correct.
G. W. DARLINTON, Chairman.

On motion of Darlinton, report adopted.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Dougherty: A Bill for an Act entitled: "An Act relating to the use of the public highways by loaded and unloaded vehicles, regulating the tonnage thereon, fixing the wheelbase of said vehicles, and classifying the same, forbidding the certain vehicles the use of the highways, authorizing the county commissioners to forbid and suspend the use of the highways under certain conditions, and providing penalties for violation of the provisions hereof."

By Willard: A Bill for an Act entitled: "An Act for the licensing of drivers of motor vehicles; persons exempted; when the license is suspended or revoked; persons ineligible for license; possession of license cards; recording of licenses issued, suspended or revoked; expense records."

By Miller of Fergus: A Bill for an Act entitled: "An Act to amend Section 10145 of the Montana Codes of 1921, providing for setting apart property of deceased persons, including a homestead, and providing for the value of such homestead."

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: 17, 74, 101.

GREEN of Dawson, Chairman."

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill No. 44.

WAITE, Chairman."

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 80, 107, 110, 119, 121, 124 and Substitute House Bill No. 85 as correctly printed.

COONEY, Chairman."

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 87, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 87 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 77, introduced by Arnold, respectfully report as follows: That House Bill No. 77 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 164, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 164 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 162, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 162 be amended to read as follows:

That Section 1 be amended by striking out the words "One Thousand Dollars" and the figures "\$1,000.00", in Subdivision 2 of the appropriation for the Veterans Welfare Commission and inserting in lieu thereof the words "Two Thousand Dollars" and the figures "\$2,000.00".

That Section 2 be amended by striking out the words "One Thousand Dollars" and the figures "\$1,000.00", in Subdivision 2 of the appropriation for the Veterans Welfare Commission and inserting in lieu thereof the words "Two Thousand Dollars" and the figures "\$2,000.00".

That Section 3 be amended by inserting after the word "herein" and before the word "provided" the following: "That said funds, respectively, be and they are hereby appropriated for the fiscal years ending June 30, 1928, and June 30, 1929, for the use of the departments, boards and commissions designated in Sections 1 and 2 of this Act to which departments such funds respectively appertain."

Recommends the bill do pass as amended.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 161, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 161 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 160, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 160 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 163, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 163 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 102, introduced by Tierney, respectfully report as follows: That House Bill No. 102 be printed and placed on General Orders.

TROY, Chairman."

On motion of Troy, report adopted.

"Mr. Speaker: We, your Committee on Military Affairs, having had under consideration, House Bill No. 154, introduced by White, Leavens and Jones of Cascade, respectfully report as follows: That House Bill No. 154 do pass.

WHITE, Chairman."

On motion of White, report adopted.

Mr. Speaker gave notice that he was about to sign House Bill No. 4 and thereupon signed the same.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Senate:

Helena, Montana, February 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Senator Swift, duly seconded and carried, House Bill No. 14, be recalled from the House.

Respectfully,

J. F. CONE, Secretary of Senate."

On motion of Bricker, request was granted.

There being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Besancon, duly seconded and carried, that House Bill No. 8 be taken from the Engrossing Committee and returned to General Order for amendment.

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 4 be made a Special Order of Business for Friday, February 4, at 2:00 P. M.

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 137 be made a Special Order of Business for Monday, February 7, at 2:00 P. M.

Moved by Donaldson, duly seconded and carried, that Substitute for House Bills Nos. 49 and 59, be taken from General Orders and re-referred to Committee on Townships and Counties.

Moved by Bricker, duly seconded and carried, that House Bill No. 117 and House Bill No. 118 be taken from General Orders today and placed on General Orders tomorrow immediately above House Bill No. 119.

There being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

There being no objections, the Appropriations Committee was granted permission to introduce the following bills without previous notice, which were read at length and referred to Appropriations Committee.

House Bill No. 165, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act authorizing and directing the State Board of Examiners to purchase additional land for the campus purpose of the University of Montana, at Missoula, and appropriating money for the payment of purchase price of said land."

House Bill No. 166, introduced by Miller of Lincoln by request: A Bill for an Act entitled: "An Act to appropriate money from the Industrial Accident Fund of the State of Montana for payment of compensation on the claim of Goede, which claim was disallowed by the Industrial Accident Board because it was not presented within six months following the date of the injury."

The following bills were introduced, read first and second time by title only, and referred to standing committees:

House Bill No. 159, introduced by Fish and Game Committee: A Bill for an Act entitled: "An Act defining, regulating and providing for the licensing of fur dealers and their agents and providing penalties for the violation of this Act. Referred to Fish and Game Committee.

House Bill No. 167, introduced by Donaldson: A Bill for an Act entitled: "An Act to amend Section 6236 of the Revised Codes of Montana of 1921 as amended by Chapter 145 of the Laws of the Eighteenth Legislative Assembly of Montana, relating to official bonds required of public officers." Referred to Townships and Counties Committee.

House Bill No. 168, introduced by Jones of Cascade, Westlake and Jones of Ravalli: A Bill for an Act entitled: "An Act to amend Section 3130 of the Revised Codes of the State of Montana of 1921 relating to the practice of osteopathy." Referred to Ways and Means Committee.

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 2, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—97.

Noes: None.

Absent and not voting: Brown, Fulsher, Harris, Jones (Ravalli), Waite. Total—5.

There being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Reed, duly seconded and carried, that a committee of three be appointed to investigate the purchase of the Connelly property at Deer Lodge, the manufacturing of license plates and other industries which may be beneficial to the State of Montana, and give employment to the inmates at the State Prison at Deer Lodge, Montana, and that their expenses incurred while making the investigation be paid from the general expenss, by the Twentieth Legislative Assembly.

Whereupon the Speaker appointed the following as members of this Committee: Johnson of Valley, chairman; Bricker of Judith Basin, Tinsley of Madison.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows: Report adopted.

That H. B. No. 28 be concurred in.

That H. B. No. 37 be concurred in.

That H. B. No. 39 be concurred in.

That H. B. No. 34 be concurred in.

That H. B. No. 54 be amended as follows:

In Section 3 in line 8 of the printed bill by adding the words "and high after the word "public", and as amended, it be concurred in.

That H. B. No. 60 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorab Body that the following Notices of Introduction of Bills have this day be given:

By Dowlin: "An Act to amend Section 4916 of the Revised Codes Montana, 1921, relating to the fees of sheriffs."

By Hazelbaker: "An Act to amend Section 6118, Revised Codes Montana, 1921, relating to the licensing of insurance agencies and s licitors."

Respectfully,

J. F. CONE, Secretary of Senate."

THIRD READING OF HOUSE BILLS

House Bill No. 17, introduced by Fulsher, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Ballard, Benjamin, Barry Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Chatham, Cheadle, Clark Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Harcastle, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murpyh, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Ryder, Sample, Shields Stambaugh, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren Westlake, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: Abrahamson, Benson, Cavanaugh, Clausen, Erickson, Gree (Dawson), Hodgskiss, Knowles, Larson, McCleary, McLeod, Rorvik, Sparling, Steeves. Total—14.

Absent and not voting: Brown, Fulsher, Harris, Jones (Ravalli) Waite. Total—5.

House Bill No. 74, introduced by Troy and Throssel, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Barry Bonine, Arnold, Bricker, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Curran, Darlington, Dellwo, Doran, Dunn, Goodwin, Hagerty, Hardcastle, Hodgskiss, Jameson, Jones (Cascade), Kelly, Knight, Lamb, Leavens, Logan, McCleary, Mason, Moss, Moulton, Mulholland, Murphy, Nagle, O'Day, Prescott, Reed, Rognlien, Shields, Throssel, Tierney, Troy, Warren, White, Willard, Woodcock. Total—50.

Noes: Besancon, Bretzke, Budas, Burns, Clausen, Cooney, Donaldson, Dougherty, Erickson, Foot, Flachsenhar, Green (Fergus), Green (Dawson), Gustafson, Holton, Jensen, Johnson, Jones (Phillips), Knowles, Kroman, Larson, Leavitt, Lillis, Lowry, McLeod, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Nelson, Nelstead, Nicholson, Plank, Plumer, Rife, Rockwood, Rorvik, Ryder, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Tinsley, Waite, Westlake, Mr. Speaker. Total—48.

Absent and not voting: Brown, Fulsher, Harris, Jones (Ravalli). Total—4.

House Bill No. 101, introduced by Rockwood and Hodgskiss, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benson, Barry, Bonine, Bretzke, Bricker, Budas, Burke, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Dellwo, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hardcastle, Iodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: Adair, Benjamin, Besancon, Chatham, Green (Dawson), Hagerty, Holton, Knowles, Sample, Warren. Total—10.

Absent and not voting: Brown, Burns, Donaldson, Fulsher, Harris, Jones (Ravalli), Reed, Troy, Waite. Total—9.

Moved by Bricker, duly seconded and carried, that in accordance with the motion of yesterday, the House be at ease and Mr. Throssel take charge of having a picture taken of the House.

Moved by Bricker, duly seconded and carried, that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

House reverted to Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduced bills as follows:

By Arnold, Erickson, Merritt and Jameson: A Bill for an Act entitled: "An Act to amend Section 4527 of the Revised Codes of Montana, 1921, relating to the furnishing of medical attendance to the county poor; authorizing the employment of county health officers and deputies and empowering adjacent counties to employ special deputy health officers under certain circumstances."

By Insurance Committee: A Bill for an Act entitled: "An Act relating to insurance upon lives of directors, officers, agents and employees of corporations and prescribing what shall constitute evidence of due authority for all corporate actions with reference thereto."

By Cheadle: A Bill for an Act entitled: "An Act declaring valid all certificates of sale issued to any county since March 1, 1923, on the purchase of such county of real property sold at delinquent tax sales and now held by such county."

By Kroman and Leavitt: A Bill for an Act entitled: "An Act appropriating money for the payment to Custer County free high school of Custer County, Montana, for expenses incurred and being incurred in furnishing high school training and education to state charges and inmates of the Montana State Industrial School."

By Cooney: A Bill for an Act entitled: "An Act to amend Sections 5272 and 5276 Revised Codes of Montana 1921 relating to street sprinkling in cities and towns."

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, recommend that:

The House Rules of the Nineteenth Legislative Assembly be amended as follows:

Amend Rule 33, by inserting the word "printed" after the word "the" and before the word "bill" in the third line of the fourth paragraph thereof.

Amend Rule 49 by adding a new paragraph thereto, to read as follows:

"No arguments for or against any proposed legislation, unless properly signed by person or persons responsible for same, shall be placed upon the desks of the members or circulated within the chamber." And that as so amended the House Rules of the Nineteenth Legislative Assembly be adopted as the permanent rules of the Twentieth Legislative Assembly."

MOSS, Chairman."

On motion of Moss, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers having had under consideration House Bill No. 90, introduced by Foot, respectfully report as follows: That House Bill No. 90 be re-referred to the Appropriations Committee for the disposition of these funds.

ERICKSON, Vice-Chairman."

On motion of Erickson, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second times by title only and referred to standing committees:

House Bill No. 169, by Curran: A Bill for an Act entitled: "An Act to amend Section 633 of the Revised Codes of Montana of 1921, relating to primary election notices." Referred to Committee on Privileges and Elections.

House Bill No. 170, by Rognlien: A Bill for an Act entitled: "An Act to amend Sections 1626 and 1629 of the Revised Codes of Montana, 1921, relating to employment of laborers, teams and implements by road supervisors and method of payment for the same by providing that the claims arising hereunder may be sworn to before the road supervisor." Referred to Committee on Townships and Counties.

Senate Bill No. 1, by Kemmis, entitled: "An Act to repeal Chapter 95 of the Session Laws of 1915, Sections 1113 to 1132 of the Revised Codes of Montana of 1921, both inclusive, and providing that teachers who have retired when this act takes effect shall continue to draw retirement salary until the retirement salary fund has been exhausted." Referred to Education Committee.

Senate Bill No. 22, by Walker, entitled: "An Act to amend Section 10295, Revised Codes of Montana, 1921, relating to estates and providing that an executor, administrator or guardian may be cited to account after his authority ceases or is revoked; that in case of the death of an executor, administrator, or guardian, his accounts may be presented by his personal representative to the court for settlement; and that upon the petition of the successor of such deceased executor, administrator or guardian, such court may compel the personal representative of such deceased executor, administrator or guardian, to render an account of the administration of his testator, intestate or ward." Referred to Judiciary Committee.

Senate Bill No. 23, by Walker, entitled: "An Act to amend Section 10482, Revised Codes of Montana, 1921, and prescribing the conditions to which the allowance to the mother for the support of her dependent child or children is subject." Referred to Judiciary Committee.

MOTIONS AND RESOLUTIONS

Moved by Hodgskiss, duly seconded, that House Bill No. 74 be recalled from the Senate.

Call of the House demanded, seconded by 15 members.

The clerk called the roll of the House and found Fulsher, Harris and Jones of Ravalli absent, they having been excused by the Speaker.

Moved by Bricker, duly seconded and carried that further call of the House be dispensed with.

Question arising on original motion of Hodgskiss, that House Bill No. 74 be recalled from the Senate; same carried.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that House resolve itself into Committee of the Whole for the consideration of General Orders.

Mr. Hardcastle in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill Nos. 99 and 84, respectfully report as follows: That House Bill No. 99 be passed for the time.

That House Bill No. 84 be amended as follows:

By inserting after the title and before the words "Section 1", the following: "Be it enacted by the Legislative Assembly of the State of Montana."

And that as so amended said House Bill No. 84 do pass.

HARDCASTLE, Chairman."

On motion of Hardcastle, report adopted.

SPECIAL ORDERS

CONSIDERATION OF GENERAL ORDERS WITH RESPECT TO HOUSE JOINT RESOLUTION NO. 2

Moved by Bricker, duly seconded and carried that the House now resolve itself into Committee of the Whole for consideration of Special and General Orders set for 2:30 P. M.

Mr. Hardcastle in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Joint Resolution No. 2, respectfully report as follows: That House Joint Resolution No. 2 be amended as follows:

By striking out in line 17 after the word "that" the word "certain", and inserting in lieu thereof the word "certified".

And that as so amended House Joint Resolution No. 2 do pass.

HARDCASTLE, Chairman."

On motion of Hardcastle, report adopted.

There being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that House Joint Resolution No. 2 be considered properly engrossed and placed on Third Reading.

There being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

House Joint Resolution No. 2, introduced by Curran, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Burke, Burns, Cavanaugh, Chathan, Clarke, Clausen, Curran, Darlinton, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Gustafson, Hagerty, Hardcastle, Holton, Jameson, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knowles, Kroman, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Mulholland, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rognlien, Rorvik, Ryder, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—78.

Noes: Adair, Brown, Budas, Cooney, Foot, Green (Fergus), Gree (Dawson), Jensen, Knight, Lamb, McLeod, Moulton, Murphy, Plumer, Rockwood, Stambaugh, Tinsley, White. Total—18.

Absent and not voting: Cheadle, Fulsher, Harris, Hodgskiss, Jones (Ravalli), Sample. Total—6.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried that the House now resolve itself into Committee of the Whole for consideration of General Orders.

Mr. Hardcastle in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration, House Bill No. 99, respectfully report as follows: The House Bill No. 99 be amended as follows:

Section 1: By striking out in line 70 the words "the full minutes and record of its proceedings including"; also strike out in lines 73, 74, and 75 the following words "provided, however, that in publishing such minutes and record of proceedings, it shall not be necessary to publish all resolutions at length, but a fair summary of such resolutions shall be published" and the word "further"; and by inserting in line 70 after the word "news paper" the words "or otherwise", and by adding in line 71 of the printed bill after the word "amount" and before the word "and" the following "and a fair summary of the minutes and records of all of its proceedings."

Amend Section 1 of House Bill No. 99 by striking out all of lines 41, 42, 43, 44, 45, and inserting in lieu thereof the following:

"10. To sell at public auction at the court house door, after thirty days' previous notice given by publication in a newspaper published in the county, said notice to be published once a week for four successive weeks and posted in five public places in the county, and convey to the highest bidder for cash, or on such terms as the Board of County Commissioners may approve, any property, real or personal, not necessary in the conduct of the county business, belonging to the county; but no such sale of real property must be made unless the value of the same has been appraised by three disinterested citizens of the county appointed by the District Judge for that purpose, within three months prior to the date of said sale and no such sale for cash or on terms shall be made for less than the appraised value of said property; provided, that in case such sale is made on terms other than for cash, no such sale of county property shall be made except at least one-eighth of the purchase price so bid therefor be paid in cash at the date of sale; and provided further, that no deferred payment or payment or payments shall extend for a period of more than eight years, and that all such deferred payments shall bear interest at the rate of six (6%) per cent per annum, payable annually; and provided further, that no title to the said property so sold shall pass from the county to such purchaser or his assigns until the full amount of such purchase price has been paid therefor and the proceeds thereof paid into the County Treasury for the

se of the county. The said appraisers shall be compensated at the rate of Eight Dollars (\$8.00) per day for each day necessarily expended in making such appraisal."

Section 2: By striking out Section 2.

And that as so amended said House Bill No. 99 do pass.

HARDCASTLE, Chairman."

On motion of Hardcastle, report adopted.

There being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Burns, duly seconded and carried, that House Bill No. 133 be recalled from Printing Committee and re-referred to Committee on Public Morals, Charities and Reforms.

Mr. White, excused by Speaker until Thursday noon, February 3rd.

There being no objections House reverted to Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Cavanaugh: A Bill for an Act entitled: "An Act to provide for the payment to Ludwig Rose of the sum of Thirty-six Hundred Eighty-five (\$3,685.51) and 51-100 Dollars for deficiency claim for services rendered and traveling expenses while engaged and employed by the Board of Prison Commissioners and the Warden of the State Penitentiary at Deer Lodge, as Supervisor of paroled prisoners of said State Penitentiary and of persons at liberty under suspended sentence laws of the State of Montana from April 1, 1923, to January 1, 1925, which claim has been approved by the State Board of Examiners."

There being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Willard, duly seconded and carried, that House Bill No. 133 be recalled from Committee on Public Morals, Charities and Reforms and re-referred to Committee on Judiciary.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Senate:

Helena, Montana, February 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title agreed to, and are herewith transmitted to the House for concurrence:

Senate Bill No. 1, by Kemmis, entitled: "An Act to repeal Chapter 95 of the Session Laws of 1915, Sections 1113 to 1132 of the Revised Codes of Montana of 1921, both inclusive, and providing that teachers who have retired when this act takes effect shall continue to draw a retirement salary until the retirement salary fund has been exhausted."

Senate Bill No. 22, by Walker, entitled: "An Act to amend Section 10295, Revised Codes of Montana, 1921, relating to estates and providing that an executor, administrator or guardian may be cited to account after his authority ceases or is revoked; that in case of the death of an executor, administrator, or guardian, his accounts may be presented by his personal representative to the Court for settlement; and that upon the petition of the successor of such deceased executor, administrator or guardian, such court may compel the personal representative of such deceased executor, administrator or guardian, to render an account of the administration of his testator, intestate or ward."

Senate Bill No. 23, by Walker, entitled: "An Act to amend Section 10482, Revised Codes of Montana, 1921, and prescribing the conditions to which the allowance to the mother for the support of her dependent child or children is subject."

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:30 A. M., Thursday, February 3, 1927.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

THIRTY-SECOND DAY

House of Representatives,
Helena, Montana, February 3, 1927.

House convened pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all present except: Fulsher, excused on account of illness; Harris, excused by Speaker; Ballard, excused on account of illness.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirty-first legislative day, find the same to be correct.

G. W. DARLINTON, Chairman.

On motion of Darlington, report adopted.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Cooney and Arnold: A Bill for an Act entitled: "An Act to endow the public service commission of Montana with the right, power and authority to issue certificates of public convenience and necessity for the construction and operation of natural and manufactured gas utilities within the State of Montana, and making it unlawful for the gas utilities enumerated therein to commence construction and operation within the State of Montana, without such certificate."

By Kelly: A Bill for an Act entitled: "An Act to amend Section 5653 of the Revised Codes of Montana of 1921 relating to giving preference to soldiers and sailors and disabled civilians in certain public employment."

By Miller of Fergus: A Bill for an Act entitled: "An Act to amend Section 2153, R. C. M., 1921, as amended by Chapter 18 of the Session Acts of the Nineteenth Legislative Assembly of Montana, 1925, relating to the lien of taxes."

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: 52 and 84.

GREEN of Dawson, Chairman."

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 81, 100, 112, 116, 122, 128, 133, 139, 143, 9 and 138 as correctly printed.

COONEY, Chairman."

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 93, introduced by Besancon respectfully report as follows: That House Bill No. 93 do not pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 159, introduced by Fish and Game Committee, respectfully report as follows: That House Bill No. 159 do pass.
NELSON, Chairman."

On motion of Nelson, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 157, introduced by Fish and Game Committee, respectfully report as follows: That House Bill No. 157 do pass.
NELSON, Chairman."

On motion of Nelson, report adopted.

"Mr. Speaker: "We, your Committee on Dairying, having had under consideration Senate Bill No. 3, introduced by Church, respectfully report as follows: That Senate Bill No. 3 be concurred in.
DONALDSON, Chairman."

On motion of Donaldson, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to standing committees:

House Bill No. 171, introduced by Insurance Committee: A Bill for an Act entitled: "An Act relating to insurance upon lives of directors, officers, agents and employees of corporations and prescribing what shall constitute evidence of due authority for all corporate actions with reference thereto." Referred to Insurance Committee.

House Bill No. 172, introduced by Dougherty: A Bill for an Act entitled: "An Act relating to the use of the public highways by loaded and unloaded vehicles, regulating the tonnage thereon, fixing the wheelbase of said vehicles, and classifying the same, forbidding certain vehicles the use of the highways, authorizing the county commissioners to forbid and suspend the use of the highways under certain conditions of the provisions hereof." Referred to Committee on Highways.

The following bill was introduced, read at length and referred to Appropriations Committee:

House Bill No. 173, introduced by Cavanaugh: A Bill for an Act entitled: "An Act to provide for the payment to Ludwig Rose of the sum of Thirty-six Hundred Eighty-five (\$3685.51) and 51-100 Dollars for deficiency claim for services rendered and traveling expenses while engaged and employed by the Board of Prison Commissioners and the Warden of the State Penitentiary at Deer Lodge, as Supervisor of paroled prisoners of said State Penitentiary and of persons at liberty under suspended sentence laws of the State of Montana from April 1, 1923, to January 1, 1925, which claim has been approved by the State Board of Examiners."

The following bills were introduced, read first and second times by title only and referred to standing committees:

House Bill No. 174, introduced by Cheadle: A Bill for an Act entitled: "An Act declaring valid all certificates of sale issued to any county since March 1, 1923, on the purchase by such county of real property sold at delinquent tax sales and now held by such county." Referred to Committee on Revenue and Taxation.

House Bill No. 175, introduced by Cooney: A Bill for an Act entitled: "An Act to amend Sections 5272 and 5276 Revised Codes of Montana, 1921, relating to street sprinkling in cities and towns." Referred to Committee on Affairs of Cities.

House Bill No. 176, introduced by Miller of Fergus: A Bill for an Act entitled: "An Act to amend Section 10145 of the Montana Codes of 1921 providing for setting apart property of deceased persons, including a homestead and providing for the value of such homestead." Referred to Committee on Ways and Means.

Senate Bill No. 12, by Ruffcorn: "An Act to amend Section 2238, Revised Codes of Montana, 1921, as amended by Chapter 102 Session Laws 1923, relating to the collection of personal property taxes." Referred to Revenue and Taxation Committee.

Senate Bill No. 31, by Paul: "An Act to amend Section 8 of Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and to provide for the publication of delinquent tax list." Referred to Revenue and Taxation Committee.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Governor's office:

Helena, Montana, February 2, 1927.

"The Speaker, House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

House Bill No. 35—Relating to admission of patients to the Montana State Tuberculosis Sanitarium.

House Bill No. 44—Relating to the making and filing of annual statements of corporations.

J. E. ERICKSON, Governor."

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, concurred in, title agreed to, and are herewith returned to the House:

House Bill No. 39, introduced by Jameson.

House Bill No. 53, introduced by Abrahamson, and others.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, title agreed to, and are herewith transmitted to the House for concurrence.

S. B. No. 12, introduced by Ruffcorn.

S. B. No. 31, introduced by Paul.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 1, introduced by Tierney and House Bill No. 60, introduced by Benjamin, were not concurred in and are herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 28, introduced by Rognlien, was, by the Committee on Privileges and Elections, amended, placed on Third Reading, read three several times, concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 37, introduced by Committee on Appropriations, was, by the Committee on Finance and Claims, amended, placed on Third Reading, read three several times, concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 34, introduced by McLeod, was, by the Committee on Finance and Claims, amended, placed on Third Reading, read three several times, concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 54, introduced by Lillis, Leavens and Logan, was, by the Committee of the Whole, amended, placed on Third Reading, read three several times, concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows: Report adopted.

That H. B. No. 53 be concurred in.

That H. B. No. 72 be amended as follows: Amend in Section 1 by inserting after the word "candidate" in line 29 a comma, the words "or otherwise", and a comma after the word "otherwise", and that further consideration of House Bill No. 72 be passed for the day.

That the enacting clause be stricken from House Bill No. 60.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notice of Motion was this day given:

By Taylor: Notice of Motion for a Reconsideration of the vote by which the Committee Report on House Joint Resolution No. 1, by Tierney, was adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 2, 1927.

"Mr. Speaker: I am instructed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second times and referred to the standing committees:

S. B. No. 48, by Pauline: "An Act to amend Section 5250 Revised Codes of Montana, 1921, relating to the manner of making payments under contracts for improvements in special improvement districts in cities and towns." Committee on Counties and Towns.

S. B. No. 49, by Hazelbaker: "An Act authorizing counties, school districts, public libraries, hospitals, cemeteries, and other Public Institutions to receive gifts, donations, grants, devises or bequests of property." Committee on Counties and Towns.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees have this day reported as follows: Reports adopted.

Committee on Finance and Claims report that House Bill No. 64 be amended as follows:

Amend Section 1 by striking out lines 27, 28, 29, 30, 31 and 32 of Section 1, page 1, of the engrossed bill.

That line 6, of page 3, of the engrossed bill be amended by striking out the words and figures "\$100.00" and inserting in lieu thereof the words and figures "\$383.00."

Amend line 8 and 9 by striking out of the same the words and figures "\$2275.00" and inserting in lieu thereof the words and figures "\$3467.00".

That lines 19 and 20, page 3, of the engrossed bill be amended by striking out the words and figures "\$125.00, and inserting in lieu thereof the words and figures "\$375.00".

That line 19, page 4, Section 1, of the engrossed bill be amended by striking out the words and figures "\$6545.00 and inserting in lieu thereof the words and figures "\$7230.00".

Further amend by striking out lines 28, 29, 30, 31 and 32 on page 5, Section 2 of the engrossed bill.

Amend Section 2, line 8, page 7, of the engrossed bill by striking out the words and figures "\$100.00" and inserting in lieu thereof the words and figures "\$383.00".

Amend lines 9 and 10 of Section 2, page 7, of the engrossed bill by striking out the words and figures "\$2275.00" and inserting in lieu thereof the words and figures "\$3467.00".

Amend Section 2 at page 7 of the engrossed bill at lines 21 and 22 by striking out the words and figures "\$125.00" and inserting in lieu thereof the words and figures "\$375.00."

Amend said bill at line 20, page 8, Section 2, of the engrossed bill by striking out the words and figures "\$6545.00" and inserting in lieu thereof the words and figures "\$7230.00".

And, as amended, it be concurred in.

Committee on Banks and Banking report that House Bill No. 10 be amended in Section 1, page 2, of the original bill, line 7, by striking out after the word "may" the words "on order of the court, appointing such receiver", and inserting in lieu thereof the words, "make application to the proper court to", and, as amended, it be concurred in.

Committee on Education report that S. B. No. 20 do not pass.

Committee on Education report that H. J. R. No. 1 be not concurred in.

Committee on Taxation report that S. B. No. 33 do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

THIRD READING OF HOUSE BILLS

On motion of Flachsenhar, Senate amendments to House Bill No. 28 were not concurred in, but the Speaker was requested to appoint a conference committee on these amendments.

Senate amendments to House Bill No. 34, introduced by McLeod, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardecastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens,

Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—94.

Noes: Chatham.

Absent and not voting: Ballard, Fulsher, Harris, Moss, Nagle, Waite, White. Total—7.

Senate amendments to House Bill No. 37, introduced by Appropriations Committee were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—96.

Noes: None.

Absent and not voting: Ballard, Fulsher, Harris, Ryder, Waite, White. Total—6.

Senate amendments to House Bill No. 54, introduced by Leavens and Logan, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, Willard, Woodcock, Donaldson, Dellwo, Mr. Speaker. Total—96.

Total—96.

Noes: None.

Absent and not voting: Ballard, Fulsher, Harris, Holton, Ryder, White. Total—6.

House Bill No. 52, introduced by Troy, Bonine, Dunn, Abrahamson, Tierney, Fulsher and Prescott, having been read three several times, title and history agreed to, was rejected by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Barry, Bonine, Brown, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Curran, Doran, Dunn, Goodwin, Gustafson, Hagerty, Hardcastle, Hodgskiss, Jameson, Jones (Cascade), Kelly, Knight, Lamb, Larson, Logan, McCleary, Mason, Moss, Moulton, Mulholland, O'Day, Prescott, Rognlien, Shields, Thorburn, Throssel, Tinsley, Troy, Warren, Woodcock. Total—44.

Noes: Benson, Besancon, Bretzke, Bricker, Budas, Burns, Clausen, Darlington, Dellwo, Donaldson, Dougherty, Erickson, Foot, Flachsenhar, Green (Fergus), Green (Dawson), Holton, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Knowles, Kroman, Leavens, Leavitt, Lillis, Lowry, McLeod, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Murphy,

Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Reed, Rife, Rockwood, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Tierney, Waite, Westlake, Willard, Mr. Speaker. Total—53.

Absent and not voting: Ballard, Fulsher, Harris, Ryder, White. Total—5.

House Bill No. 84, introduced by Besancon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Benson, Besancon, Bonine, Bretzke, Brown, Budas, Burke, Cavanaugh, Clarke, Clausen, Cooney, Curran, Dellwo, Donaldson, Dougherty, Foot, Flachsenhar, Gree (Dawson), Hagerty, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moss, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Sample, Shields, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Westlake, Willard, Woodcock, Mr. Speaker. Total—69.

Noes: Barry, Bricker, Burns, Chatham, Cheadle, Darlington, Doran, Dunn, Erickson, Goodwin, Green (Fergus), Gustafson, Hardcastle, Hodgskiss, Jones (Ravalli), Kelly, Knight, Kroman, McLeod, Merritt, Moulton, Mulholland, Reed, Rorvik, Sparling, Thorburn, Tierney, Warren. Total—28.

Absent and not voting: Ballard, Fulsher, Harris, Ryder, White. Total—5.

Mr. Speaker announced the following conference committee on Senate amendments to House Bill No. 28: Rognlien of Flathead, Chairman; Jones of Cascade; Sample of Dawson.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried that the House now resolve itself into Committee of the Whole and that proponents and opponents of bills be allowed five minutes to discuss the main bill, and other three minutes; and that on amendments proponents and opponents be allowed three minutes and others two minutes, with no trading of time and that members be allowed to talk only once on amendments, except proponents and opponents of bills; that bills be read by history, title and section numbers only.

Mr. Lamb in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration, House Bill No. 80, House Bill No. 107 and House Bill No. 110, respectfully report as follows: That House Bill No. 80 be passed for the time.

That House Bill No. 107 do pass.

That House Bill No. 110 be amended as follows:

Section 1: By striking out in Section (1) line 36 under the State Examiner, the words and figures "Ten Thousand Five Hundred Dollar (\$10,500.00)" and inserting in lieu thereof the words and figures "Twelve Thousand Nine Hundred Dollars (\$12,900.00)" and in line 39, the words and figures "Fourteen Thousand Five Hundred Fifty Dollars, (\$14,550.00)" and inserting in lieu thereof the words and figures, "Sixteen Thousand One Hundred Fifty Dollars, (\$16,150.00)."

Section 1, House Bill No. 110, by striking out of lines 63 and 64 and inserting in lieu thereof the words "Salary of cashier and other salaries Twelve Thousand Five Hundred Dollars (\$12,500.00)."

Amend House Bill No. 110, by striking out in Section 1, line 77, printed bill, the words and figures "Seven Thousand Seven Hundred Fifty Dollars, (\$7750.00)," and inserting in lieu thereof the words and figures, "Nine Thousand Seventy Dollars, (\$9,070.00)."

Also in line 80 of Section 1, by striking out the words and figures "Forty Five Hundred Dollars (\$4500.00)" and inserting in lieu thereof the words and figures "Five Thousand Eight Hundred Twenty Dollars, (\$5820.00)."

Also in line 81 of Section 1, by striking out the words and figures "Five Thousand Two Hundred Fifty Dollars, (\$5,250.00)" and inserting in lieu thereof the words and figures, "Eighty One Hundred Dollars, (\$8100.00)".

Section 1: By striking out in line 59, the words and figures, "Eighteen Thousand Three Hundred Sixty Dollars (\$18,360.00)," and inserting in lieu thereof the words and figures "Eighteen Thousand Five Hundred Dollars, (\$18,500.00)."

Amend Lines 119 and 120, page four, Section 1, of House Bill No. 110, by striking out the words and figures "Nine Thousand Dollars (\$9,000.00)" and substituting therefore the words and figures "Fifteen Thousand Dollars (\$15,000.00)."

Amend Section 2 as follows: Line 36, under the State Examiner, the words and figures "Ten Thousand Five Hundred Dollars, (\$10,500.00)" and inserting in lieu thereof the words and figures, "Twelve Thousand Nine Hundred Dollars, (\$12,900.00)" and in line 39 the words and figures "Fourteen Thousand Five Hundred Fifty Dollars (\$14,550.00)" and inserting in lieu thereof the words and figures "Sixteen Thousand One Hundred Fifty Dollars, (\$16,150.00)."

Amend Section 2, by striking out in line 56 the words and figures "Eighteen Thousand Three Hundred Sixty Dollars, (\$18,360.00)" and inserting in lieu thereof the words and figures "Eighteen Thousand Five Hundred Dollars (\$18,500.00)."

Amend Section 2 by striking out lines 59 and 60 and inserting in lieu thereof the words, "Salary of Cashiers and others, Twelve Thousand, Five Hundred Dollars (\$12,500.00)."

Amend Section 2, lines 76 and 77 page 7 of House Bill No. 110 by striking out the words and figures "Nine Thousand Dollars (\$9,000.00)" and substituting therefore the words and figures "Fifteen Thousand Dollars (\$15,000.00)."

Amend House Bill No. 110, Section 2, by striking out in Section 2, printed bill, line 93, the words and figures "Seven Thousand Seven Hundred Fifty Dollars, (\$7750.00)" and inserting in lieu thereof the words and figures, "Nine Thousand Seventy Dollars, (\$9070.00)."

Also in line 96 of Section 2, by striking out the words and figures, "Forty Five Hundred Dollars, (\$4500.00)" and inserting in lieu thereof the words and figures "Five Thousand Eight Hundred Twenty Dollars (\$5820.00)."

Also in line 97 of Section 2, by striking out the words and figures "Five Thousand Two Hundred Fifty Dollars, (\$5250.00)" and inserting in lieu thereof the words and figures, "Eighty One Hundred Dollars (\$8100.00)."

Section 5, by striking out Section 5.

And that as so amended, said House Bill No. 110 do pass.

LAMB, Chairman."

On motion of Lamb, report adopted.

Moved by Bricker, duly seconded and carried, that House recess until 2:30 P. M.

AFTERNOON SESSION

House resumed at 2:30 P. M.

Mr. Speaker in the chair.

At the request of Moss, there being no objections, House reverted Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Moss, duly seconded and carried, that the Employment Committee be authorized to transfer Ernest Michaelson, from General Steographer to a position to be known as Verification Clerk.

CONSIDERATION OF GENERAL ORDERS

Moved by Moss, duly seconded and carried, that the House resolve itself into Committee of the Whole for consideration of General Orders, under the rules stated this morning.

Mr. Lamb in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 80, 117, 118, 119, 121, 124, Substitute for House Bill No. 85, respectfully report as follows:

That House Bill No. 80 do pass.

That House Bill No. 117 do pass.

That House Bill No. 118 be amended as follows:

Section 2: By striking out in lines 19 and 20, after the comma in line 19 and before the word "in", in line 20 the words "so far as may be possible within a reasonable development of the whole Federal Highway System."

And that as so amended said House Bill No. 118 do pass.

That House Bill No. 119 be amended as follows:

Section 8: By striking out all of that part of Section 8 after the word "law" in line 25 and inserting in lieu thereof "no action shall be maintained to enjoin the collection of such license tax or any part thereof."

Section 11: Amend Section 11 to read "Section 11: "No gasoline exported out of the State of Montana shall be included in the computation of any dealers license tax herein provided for."

And that as so amended said House Bill No. 119 do pass.

That House Bill No. 121 be amended as follows:

Section 3: By striking out all of Section 3; and that as so amended said Bill do pass.

That House Bill No. 124 be passed until Monday.

That Substitute for House Bill No. 85 be re-referred to Committee on Townships and Counties.

LAMB, Chairman."

On motion of Lamb, report adopted.

At the request of Larson, there being no objections, House reverted to Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Logan: A Bill for an Act entitled: "An Act to amend Section 66 of the Revised Codes of 1921, relating to the election of county and city central committeemen."

By Rognlien and Abrahamson: A Bill for an Act entitled: "An Act to amend Sections 6339 and 6334 of the Revised Codes of Montana of 1921 relating to death annuity benefits on lives of children in fraternal benefit societies by providing that death annuities may be written on the lives of children between the ages of two and eighteen years without restrictions as to legal relationship to members of such societies."

By Larson, Abrahamson and Rognlien: A Bill for an Act entitled: "An Act to amend Sections 8812 and 8813, Revised Codes of Montana, 1921, relating to Judicial Districts and the number of Judges therein."

By Nagle: A Bill for an Act entitled: "An Act to amend Section 11,596 of the Revised Codes relating to imprisonment in the State Penitentiary and the time when such imprisonment commences when a person has been convicted of two or more crimes before sentence has been pronounced upon him for either."

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: 99 and 107.

GREEN of Dawson, Chairman."

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 53 and 39.

WAITE, Chairman."

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 22, introduced by Walker, respectfully report as follows: That Senate Bill No. 22 be amended by striking out the word "interstate" in line 4, page 2, and inserting in lieu thereof the word "intestate" and that as amended, Senate Bill No. 22 be concurred in.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 23, introduced by Walker, respectfully report as follows: That Senate Bill No. 23 be concurred in.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 133, introduced by Cheadle, respectfully report as follows: That House Bill No. 133 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 152, introduced by Burns, respectfully report as follows: That House Bill No. 152 be amended as follows: By striking out in Section 1, line 1, the words "is authorized to" and inserting in lieu thereof the word "shall" and by striking out all of Section 2, and that as amended House Bill No. 152 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 69, introduced by Dunn, Moss, Nagle and Throssel, respectfully report as follows: That House Bill No. 69 do pass.

GREEN of Dawson, Chairman."

On motion of Green of Dawson, report adopted.

"Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Joint Resolution No. 4, by Besancon

and Moss, respectfully report as follows: That House Joint Resolution No. 4 do pass.

GREEN of Dawson, Chairman."

On motion of Green of Dawson, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 103, introduced by Throssel, respectfully report as follows: That House Bill No. 103 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 165, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 165 do pass.

REED, Chairman."

On motion of Reed, report adopted.

At the request of Adair, there being no objections, House reverted to Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Adair: A Bill for an Act entitled: "An Act to prevent fraud in the sale of securities within the State of Montana by regulating the offer for sale and sale thereof, by requiring registration of such securities and licensing of persons selling or offering securities for sale, by establishing the State Securities Commission and empowering and requiring it to administer and enforce this Act, by providing penalties for violation thereof and by repealing other laws and parts of laws relating to the same subject matter or inconsistent with the provisions of this Act."

At the request of Moss, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Moss, duly seconded and carried, that House Bill No. 69 be re-referred to Railroads and Transportation Committee, for the purpose of amending the report.

There being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to standing committees:

House Bill No. 177, introduced by Arnold, Erickson, Merritt and Jameson: A Bill for an Act entitled: "An Act to amend Section 4527, of the Revised Codes of Montana, 1921, relating to the furnishing of medical attendance to the county poor; authorizing the employment of county health officers and deputies and empowering adjacent counties to employ special deputy health officers under certain circumstances." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 178, introduced by Kelly: A Bill for an Act entitled: "An Act to amend Section 5653 of the Revised Codes of Montana of 1921 relating to giving preference to soldiers and sailors and disabled civilians in certain public employment." Referred to Workmen's Compensation Committee.

House Bill No. 180, introduced by Logan: A Bill for an Act entitled: "An Act to amend Section 662 of the Revised Codes of 1921, relating to the election of county and city central committeemen." Referred to Committee on Privileges and Elections.

At the request of Reed, there being no objections, the Appropriations Committee was allowed to introduce the following bill without previous notice, which was read first time by title only, second time at length and referred to Appropriations Committee.

House Bill No. 179, introduced by Appropriations Committee: A Bill for an Act entitled: "A supplementary appropriations bill authorizing the purchase of fire extinguishers by the State Board of Examiners for use at the State Capitol Building."

The following resolution was introduced, read first time by title, second time at length and referred to Committee on Apportionment and Representation.

House Resolution No. 5, introduced by Sample: A resolution appointing a special committee for the purpose of assembling data concerning the volume of business transacted by the various Judicial Districts and Courts of the State, requiring the Committee to report such information back to the House of Representatives, not later than February 23rd."

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Helena, Montana, February 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion duly made and seconded, the request for the return of House Bill No. 74, was this day granted, and Bill is herewith returned.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the remainder of communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Committee on Judiciary with the recommendation that they be not concurred in. Reports adopted. Bills are herewith returned to the House.

House Bill No. 62, by Foot.

House Bill No. 63, by Foot.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second times and referred to the standing committees:

House Bill No. 17—Committee on Sanitary Affairs.

House Bill No. 101—Committee on Education.

House Joint Resolution No. 2—Committee on Constitutional Amendments.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows:

That S. B. No. 30 do pass.

That H. B. No. 10 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introductions of Bills were this day given:

By Hazelbaker: "An Act to amend Section 1230 of the Revised Codes of Montana of 1921, relating to the redemption of school district bonds, and the investment of the Bond Sinking and Interest Fund."

By Joffray, Bergstrom, Garber, Johnson, Shelver, Pauline, Cooper: "An Act providing for the supervision, regulation and control of the transportation by motor vehicle of persons and property for hire upon the public highways of this State and prescribing the compensation to be paid for the use of such highways, and repealing Chapter 154, Laws 1923, and Chapter 103, Laws 1925."

By Garber: "An Act to amend Section 560 of the Revised Codes of Montana of 1921, relating to the transfer of an electors registration from one precinct to another precinct within the county."

By Garber: "An Act to amend Section 618 of the Revised Codes of 1921 as amended by Chapter 64 of the Laws of the Nineteenth Legislative Assembly, and Section 644 of the Revised Codes of 1921 as amended by Chapter 133 of the Laws of the Eighteenth Legislative Assembly, and Section 619 of the Revised Codes of Montana of 1921 as amended by Chapter 58 of the Laws of the Nineteenth Legislative Assembly, relating to the filing of nominating petitions and certificates of nomination for the state county and municipal elections, and the certification of candidates by the Secretary of State to County Clerks."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second times and referred to the standing committees:

S. B. No. 50, by Hazelbaker: "An Act to amend Section 6118, Revised Codes of Montana, 1921, relating to the licensing of insurance agencies and solicitors." Insurance Committee.

S. B. No. 51, by Hazelbaker: "An Act providing a Commission form of government for counties, providing for the election and appointment of officers therein, defining their powers and duties, and providing for their compensation." Counties and Towns Committee.

S. B. No. 52, by Committee on Roads and Highways: "An Act to provide for the right to construct and maintain gas pipe lines in, along and under public roads and highways within the counties of the State of Montana." Roads and Highways Committee.

S. B. No. 53, by Dowlin: "An Act to amend Section 4916 of the Revised Codes of Montana, 1921, relating to the fees of Sheriffs." Judiciary Committee.

S. J. R. No. 5, by Kemmis, Donovan, Johnson, Dell and Taylor: "A Resolution petitioning Congress to intercede on behalf of the people of Montana to oppose action on the part of the Interstate Commerce Commission authorizing the consolidation of railroads without the consent of the people affected." Railroads and Transportation Committee.

S. J. M. No. 1, by Richardson: "Memorial to the Congress of the United States, praying for the immediate passage of the Tyson-Fitzgerald Bill, an Act for the relief of disabled emergency army officers now pending." Military Affairs.

Respectfully,

J. F. CONE, Secretary of Senate."

THIRD READING OF HOUSE BILLS

House Bill No. 99, introduced by Plumer, having been read three several times, title and history agreed, to was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Benjamin, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Knight, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus).

Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Ryder, Sample, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: Abrahamson, Benson, Brown, Cavanaugh, Chatham, Hagerty, ones (Cascade), Larson, O'Day, Rorvik, Sparling, Tierney. Total—12.

Absent and not voting: Ballard, Fulsher, Harris, Kelly, Knowles, Shields. Total—6.

House Bill No. 107, introduced by Reed, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—94.

Noes: None.

Absent and not voting: Ballard, Fulsher, Harris, Kelly, Knowles, Moulton, Ryder, Shields. Total—8.

Mr. Speaker gave notice that he was about to sign House Bills Nos. 49 and 53, and thereupon signed said bills.

Mr. Speaker excused Sample of Dawson until Monday.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:30 A. M., Friday, February 4, 1927.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

THIRTY THIRD DAY

House of Representatives,
Helena, Montana, February 4, 1927.

House convened, pursuant to adjournment, at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all members present except: Bricker, excused by Speaker; Fulsher, excused on account of illness; Johnson, excused by Speaker; Sample, excused until Monday; Tinsley, excused by Speaker.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirty second legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

COMMUNICATIONS AND PETITIONS

The following communications were received and read:

13 N. Rodney St., Helena, Montana,

February 2nd, 1927.

Members and Employees of House of Representatives, of the 20th Legislative Assembly of Montana.

My Dear Friends: Please accept my sincere thanks for your kindness and generosity during my great sorrow.

Very respectfully,

MRS. ELIZABETH DRAKE."

"Mr. Mills, Superintendent of State Nursery and Seed Co., will, tomorrow at 2 P. M., for benefit of members of House and Senate, who may be interested in grain and seed cleaning and classifying, start machines of their plant and will be there to explain the procedure."

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce bills as follows:

By Dougherty, Bonine, Rorvik, Ryder, Benson, Curran and Sparling: A Bill for an Act entitled: "An Act to amend Section 1617 of the Revised Codes of Montana of 1921 relating to the amount of mills county commissioners may levy for general road tax."

By Jones of Cascade: A Bill for an Act entitled: "An Act to amend Section 3787 of the Revised Codes of Montana, 1921, relating to the salary of Inspector for the State Board of Railroad Commissioners."

By Committee on Petroleum, Oil and Gas Affairs: A Bill for an Act entitled: "An Act accepting the powers granted by an act of the 67th Congress, No. 48, entitled: 'An Act to amend an Act approved February 2, 1889, entitled 'An Act to provide for the division of Dakota into two states and to enable the people of North Dakota, South Dakota, Montana and Washington to form constitutions and state governments, and to be admitted into the Union on an equal footing with the original states, and to make donations of public lands to such states.' Approved August 11, 1921. Providing for the disposition of oil and gas deposits reserved to the State of Montana or in land owned by the State of Montana; authorizing the State Board of Land Commissioners to grant oil and gas leases covering such deposits; limiting the amount and extent of land which may be leased; defining the qualifications for lessees and assignees; providing the form and contents of such oil and gas leases and for the assignment, relinquishment, surrender, cancellation and forfeiture thereof; requiring the payment of fees and the giving of bonds by lessees and assignees; providing the method for cancelling and forfeiting oil and gas leases hereunder; authorizing the State Board of Land Commissioners to compromise disputes arising under oil and gas leases; providing the manner for ascertaining the full market value of oil and gas deposits reserved by or in land owned by the State, and the payment of rentals and royalties therefor; providing for the sale of royalties due or to become due the State under oil and gas leases; ratifying, confirming and approving oil and gas leases issued by the State prior to the passage and approval of this Act; providing for the surrender or amendment of oil and gas leases issued by the State prior to the passage and approval of this Act; providing for the disposition of moneys derived from oil and gas leases issued hereunder; providing penalties for the violation of this Act; repealing all Acts or parts of Acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 77, 87, 102, 127, 154, 160, 162, 163, and 164 as correctly printed."

COONEY, Chairman."

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration, House Bill No. 29, introduced by Mulholland, respectfully report as follows: That House Bill No. 29 be re-referred to the Committee on Banks and Banking.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration, House Bill No. 55, introduced by Tierney, respectfully report as follows: That House Bill No. 55 do not pass.

NELSTEAD, Chairman."

On motion of Nelstead, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 61, introduced by Abrahamson, respectfully report as follows: That House Bill No. 61 do pass.

TROY, Chairman."

On motion of Troy, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration, House Bill No. 89, introduced by Leavens (by request), respectfully report as follows: That House Bill No. 89 be amended as follows:

By striking out in Section 1, after word "appropriated" the words, the sum of Five Thousand Dollars" and inserting in lieu thereof, the words the sum of Three Thousand Dollars." Recommend that after so amended do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means, having had under consideration, House Bill No. 149, introduced by Rognlien, respectfully report as follows: That House Bill No. 149 do not pass.

TROY, Chairman."

On motion of Troy, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means, having had under consideration, House Bill No. 151, introduced by Dellwo, Burns and Warren, respectfully report as follows: That House Bill No. 151 do pass.

TROY, Chairman."

On motion of Troy, report adopted.

"Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 171, introduced by Insurance Committee, respectfully report as follows: That House Bill No. 171 do pass.

SAMPLE, Chairman."

On motion of Miller of Fergus, report adopted.

The Speaker gave notice that he was about to sign Senate Joint Resolution No. 2, and thereupon signed the same.

INTRODUCTION OF BILLS AND MEMORIALS

At the request of Reed, the Appropriations Committee was permitted to introduce the following bills, without previous notice, which were read first time by title, second time at length and referred to the Appropriations Committee:

House Bill No. 181, introduced by Appropriations Committee: A Bill or an Act entitled: "An Act to appropriate money for the construction and equipment of buildings at the Montana State School for Deaf and Blind at Boulder, Montana."

House Bill No. 182, introduced by Appropriations Committee: A Bill or an Act entitled: "An Act appropriating money for the payment of a claim of Conybeare, Church and Davidson of Lethbridge, Alberta, Canada, for legal services performed at the request of agents of the State of Montana in connection with extradition of Henry Cooch."

House Bill No. 183, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the construction and equipment of buildings at the Montana State Industrial School at Miles City, Montana."

House Bill No. 184, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the purchase of land for the use of the Montana State Industrial School at Miles City, Montana."

At the request of Holton, the Committee on State Lands was permitted to introduce the following bill without previous notice, which was read first and second times by title only and referred to standing committees:

House Bill No. 186, introduced by State Lands Committee: A Bill for an Act entitled: "An Act creating the Department of State Lands and Investments; making the State Board of Land Commissioners the governing board of this department; providing for the appointment of a Commissioner of State Lands and Investments; designating this Commissioner and the State forester as the Chief Executive and Administrative Officer under this Board; providing other officers and agencies to assist in carrying out the work of the Department; prescribing the powers and duties of this Board and of all officers, employees, agencies, and persons acting for or under this Board in the selecting, classifying, appraising, use, leasing, exchange, selling and disposing of State Lands, and the general care, custody and management of such lands; and in the administration of other business relating thereto and coming under this Department; in the care, custody, investment and management of the funds arising from such lands or otherwise subject to their control; prescribing some of their powers and duties under Article 21 of the Constitution; fixing their term of service, manner of qualifying, salaries, emoluments and compensation; prescribing fines and penalties for nonfeasance or malfeasance in the performance of their duties; and repealing Section 207, Sections 1805 to 1839, both inclusive, Section 1840, Sections 1843 to 1871, both inclusive, Section 1882 to 1911, both inclusive, Section 1918, Sections 1928 to 1948, both inclusive, all of such sections being of the Revised Codes of Montana of 1921; and Section 4014 of the Revised Codes of Montana of 1921, as amended by Chapter 147 of the Laws of the Eighteenth Legislative Assembly and Chapter 94 of the Laws of the Eighteenth Legislative Assembly; and Chapters 90, 134, 168 and 190 of the Laws of the Nineteenth Legislative Assembly, and also repealing any other Act or parts of Acts in conflict with the provisions of this Act." Referred to Committee on State Lands.

The following bill was introduced, read first and second times by title only and referred to standing committees:

House Bill No. 185, introduced by Nagle: A Bill for an Act entitled: "An Act to amend Section 11,596 of the Revised Codes relating to imprisonment in the State Penitentiary and the time when such imprisonment commences when a person has been convicted of two or more crimes before sentence has been pronounced upon him for either." Referred to Judiciary Committee.

MOTIONS AND RESOLUTIONS

Moved by Moss, duly seconded and carried, that House Bill No. 4 be made a special order of business for Monday morning at 11 A. M., instead of today at 2 P. M.

Moved by Reed, duly seconded and carried, that the Chief Clerk be authorized to correct the history of House Bill No. 37, wherein it is shown that there was an Appropriation Committee amendment to the same, which failed to get into the printed and engrossed bill, and that all reference to such amendment on January 14, on page 57 of the House Journal, be expunged from the Journal records, inasmuch as the Senate did amend House Bill No. 37 as follows:

"Section 3: The appropriations herein above provided shall be deemed and held valid, notwithstanding the provisions of the budget."

At the request of Throssel, there being no objections, House reverted Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Throssel: A Bill for an Act entitled: "An Act amending the defining clause of the Revised Codes of Montana, 1921, Section 3186, to include the drugs *Marihuana* (*Cannabis Indica*) and *Lophophora Williamsii* (known as *Peyote*)."

CONSIDERATION OF GENERAL ORDERS

Moved by Moss, duly seconded and carried, that the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the same rules as previously adopted.

Mr. Budas in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration S. B. No. 3, S. B. No. 22, S. B. No. 23, H. B. No. 9, H. B. No. 81, and H. B. No. 100, respectfully report as follows:

That S. B. No. 3 be passed until this afternoon for final consideration.

That S. B. No. 22 be concurred in.

That S. B. No. 23 be concurred in.

That H. B. No. 9 do pass.

That H. B. No. 81 be passed for the present.

That H. B. No. 100 do pass.

BUDAS, Chairman."

On motion of Budas, report adopted.

At the request of Moss, there being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second times by title only, and referred to Committee on Petroleum, Oil and Gas Affairs:

House Bill No. 187, introduced by Cooney and Arnold: A Bill for an Act entitled: "An Act to endow the Public Service Commission of Montana with the right, power and authority to issue certificates of public convenience and necessity for the construction and operation of natural and manufactured gas utilities within the State of Montana, and making it lawful for the gas utilities enumerated therein to commence construction and operation within the State of Montana without such certificate."

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Helena, Montana, February 4, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the President this day appointed Senators Greenup, John Campbell and Donovan to act with a like committee from the House to consider Senate amendments to House Bill No. 28.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 4, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion of Senator Larson, duly made and seconded, the Senate requests the return of Senate Bill No. 12, introduced by Ruffcorn.

Respectfully,

J. F. CONE, Secretary of Senate."

On motion of Moss, request was granted to return Senate Bill No. 12 to the Senate.

At the request of Burns, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Burns, duly seconded and carried, that House Bill No. 11 be taken from General Orders and re-referred to Judiciary Committee.

Speaker granted permission that the members of the Committee on Oil and Gasoline investigation be excused during the sessions of said committee.

Moved by Moss, duly seconded and carried, that House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 6.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills No. 80, 111, 118, and 121.

GREEN of Dawson, Chairman."

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 34 and 54.

WAITE, Chairman."

"Mr. Speaker: We, the majority of your Committee on State Lands having had under consideration, House Bill No. 186, introduced by State Lands Committee, respectfully report as follows: That House Bill No. 186 do pass.

LARSON,
NELSTEAD,
BENSON,
ROGNLIEN,
HOLTON."

"Mr. Speaker: We, the minority of your Committee on State Lands having had under consideration, House Bill No. 186, introduced by Committee on State Lands, respectfully report as follows: That House Bill No. 186 do not pass.

STAMBAUGH,
RYDER,
RIFE,
MERRITT."

Moved by Holton, duly seconded, that the Majority report be adopted.

Moved by Stambaugh, as substitute motion, duly seconded, that the minority report be adopted.

Moved by Ryder, as a substitute motion for all pending motions, duly seconded, that House Bill No. 186 be re-referred to Committee on State Lands.

Question arising on substitute motion for all pending motions, said motion failed.

Question arising on substitute motion for adoption of minority report, same failed.

Question arising on original motion, same carried.

Speaker gave notice he was about to sign House Bills Nos. 34 and 54 and thereupon signed the same.

"Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration, House Bill No. 69 respectfully report as follows: That House Bill No. 69 do pass as amended as follows: By striking out lines twenty-one (21) to twenty-seven (27) inclusive, and adding in lieu thereof: "Any person, firm or corporation maintaining a public motor vehicle stand, or by sign, symbol or device on vehicle or clothing, or by advertisement holds forth transportation for compensation, or solicits the transportation of persons or property for compensation among the public at trains, hotels, or other places, or solicits for trips for compensation; shall be deemed, prima facie, a "Transportation Company" subject to this act, and the burden of proof shall be on such person, firm or corporation to disprove said status." Bill introduced by Dunn, Moss, Magle and Throssel. And the bill as so amended, do pass.

GREEN of Dawson, Chairman."

On motion of Green, report adopted.

"Mr. Speaker: We, your Committee on Apportionment and Representation, having had under consideration, House Resolution No. 5, introduced by Sample, respectfully report as follows: That House Resolution No. 5 be amended as follows:

Amend the title by striking out at the end thereof the words "not later than February 23rd."

Amend by striking out in the last line of the Resolution the words, and in any event, not later than February 23rd, 1927."

And as so amended, recommend that the same do pass.

Erickson, Chairman."

On motion of Erickson, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 136, introduced by Shields, respectfully report as follows: That House Bill No. 136 be amended as follows: By striking out Sections 7 and 8, and after so amended be referred to the Educational Committee.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration, House Bill No. 166, introduced by Miller of Lincoln request, respectfully report as follows: That House Bill No. 166 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration, House Bill No. 126, introduced by Leavitt, respectfully report as follows: That House Bill No. 126, do pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration, House Bill No. 170, introduced by Rognlien, respectfully report as follows: That House Bill No. 170 do not pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first and second time, by title only and referred to Committee on State Boards and Officers:

House Bill No. 188, introduced by Jones of Cascade: A Bill for an act entitled: "An Act to amend Section 3787 of the Revised Codes of

Montana, 1921, relating to the salary of inspector for the State Board Railroad Commissioners."

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Moss, duly seconded and carried, that the communication from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 4, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 3, introduced by Besancon, was, by the Committee on Elections and Privileges, reported for non-concurrence. Report adopted and Bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 4, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced, read first and second times, and referred to the Standing Committees:

House Bill No. 99—Counties and Towns.

House Bill No. 107—Roads and Highways.

House Bill No. 84—Railways and Transportation.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 4, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, respectfully reports and recommends as follows:

That consideration of S. B. No. 24 be passed for the day.

That S. B. No. 25 do pass.

That Senate Substitute for S. B. No. 26, do pass.

That consideration of S. B. No. 33, be passed for the day.

That S. B. No. 37 do pass.

That S. J. R. No. 4 be amended by striking out all of lines number 38 to 46, and 49 to 51, all inclusive of printed Bill. And to insert in line 75 of the printed Bill, after the word "products", the word "sufficiently" and as so amended recommend that the same do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 4, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices were this day given:

By Duncan: "An Act to amend Section 443 of the Revised Codes of the State of Montana and Chapter 124 of the Eighteenth Legislative Assembly, amending said Section relative to the allowance of traveling other expenses of state, county, city, school district, officers or employees.

By Duncan: "An Act authorizing the issuance of bonds by irrigation districts for the redemption and payment of the bonds and warrants of such districts."

By Pauline: "An Act providing for the preservation of the property belonging to the Legislative Department of the State of Montana and providing penalty for the removal or destruction of such property."

By Duncan and Paul: "An Act to amend Section 6670 of the Revised Codes of Montana, 1921, relating to property deemed affixed to a mine."

By Shelver: "An Act to amend Section 3242 of the Revised Codes of Montana, 1921 relating to cases in which C. P. A. examinations may be waived, as to provide a waiver for World War Veterans suffering from a physical disability."

By Garber: "Joint memorial to the Congress of the United States, requesting favorable action upon the Norris amendment, providing that the President of the United States, Senators and Representatives in Congress, take office on the first Monday in January after election."

By Dowlin: "An Act to amend Chapter 30 of the Session Laws of the Nineteenth Legislative Assembly as amended by Chapter 85 of the Nineteenth Legislative Assembly, relating to the publication of the report of the State Examiner, covering the examination of the various county offices."

By Goodman: "An Act amending Sections 715 and 717 of the Revised Codes of Montana of 1921, relating to electors voting by absent ballot and presenting the form of application for such ballot."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 4, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Senate Bills were this day introduced, read first and second time and referred to the standing committees:

Substitute for S. B. No. 5, by Senate Livestock Committee: A Bill for an Act entitled: "An Act defining the duties of persons slaughtering or selling meat or the by-products of meat cattle; defining and providing for the licensing of butchers and meat peddlers; providing for the inspection and stamping of hides and meat and for the issuance and recording of certificates of inspection; providing penalties for the violation of this Act, and repealing Chapter 76 of the Acts of the Eighteenth Legislative Assembly of Montana of 1923 and all other Acts in conflict herewith." Printing Committee.

S. B. No. 54, by McQuitty: "An Act relating to the registration of motor vehicles." Roads and Highways.

S. B. No. 55, by Garber: "An Act to amend Section 618 of the Revised Codes of 1921 as amended by Chapter 64 of the Laws of the Nineteenth Legislative Assembly, and Section 644 of the Revised Codes of 1921 as amended by Chapter 133 of the Laws of the Eighteenth Legislative Assembly, and Section 619 of the Revised Codes of Montana of 1921 as amended by Chapter 58 of the Laws of the Nineteenth Legislative Assembly relating to the filing of nominating petitions and certificates of nomination for state, county and municipal elections, and the certification of candidates by the Secretary of State to county clerks." Privileges and Elections.

S. B. No. 56, by Garber: "An Act to amend Section 560 of the Revised Codes of Montana of 1921 relating to the transfer of an electors registration from one precinct to another precinct within the county." Privileges and Elections.

S. B. No. 57, by Hazelbaker: "An Act to amend Section 1230 of the Revised Codes of Montana of 1921 relating to the redemption of school district bonds, and the investment of the bond sinking and interest fund." Education.

S. B. No. 58, by Wuerthner, McCabe and Delaney: "An Act to amend Section 1010 of the Revised Codes of Montana, 1921, as amended by Chapter 70 of the Session Laws of the Eighteenth Legislative Assembly of 1923 and as further amended by Chapter 76 of the Session Laws of the Nineteenth Legislative Assembly of 1925 relating to transportation, board, rent, tuition of pupils of any school district or districts of State of Montana and providing for furnishing rent and board for such pupils and providing for appeal." Education.

S. B. No. 59, by Cooper, Johnson, Pauline, Joffray, Garber, Shelver, Bergstrom: "An Act providing for the supervision, regulation and control of the transportation by motor vehicle of persons and property for hire upon the public highways of this state, and prescribing the compensation to be paid for the use of such highways, and repealing Chapter 154, Laws 1923, and Chapter 103, Laws 1925." Roads and Highways.

S. B. No. 60, by Goodman: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana by adding thereto an article to be known as Article XXII providing for the election of five justices of the Supreme Court and the designation and appointment of the Chief Justice thereof." Constitutional Amendments.

S. J. R. No. 6, by McCabe: Relative to the policy of caring for the Indians of Montana by the expenditure of Federal appropriations through State agencies. Federal Relations.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 4, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees have this day reported as follows:

Committee on Privileges and Elections report that House Bill No. 72 be amended as follows:

Amend the title of the Act by inserting after the word "of" and before the word "chapter" in the second line of the title of the Act the following words: "The Revised Codes of Montana of 1921 as amended by."

"That the last paragraph of Section 1 being lines 16 to 23 inclusive of page 2 of the original bill and lines 29 to 32 of the printed bill together with the amendments made to said paragraph by the Senate Committee of the Whole, be stricken out, and in lieu thereof the following words be inserted: "Any person receiving the nomination by having his name written in on the primary ballot, and desiring to accept such nomination, shall file with the Secretary of State, County Clerk or City Clerk, a written declaration indicating his acceptance of said nomination within ten days after the election at which he receives such nomination, and at the same time he shall pay to the officer with whom such declaration of acceptance is filed the fee above provided for filing a primary nominating petition for such office. No candidate receiving a nomination at a primary election as above provided shall have his name printed on the official ballot for the general election without complying with the provisions of this section"; and that, as so amended, it be concurred in.

Committee on Stockgrowing and Grazing report that S. B. No. 35 be amended as follows:

Amend Section 1 by adding in line 3 after the word "agreement" the following words: "covering livestock, increase, wool and other livestock, increase, wool and other products."

Amend Section 3 by striking out in line 2 all matter after the word "county", to and including the word "county" in line 6 and adding after the word "livestock" in line 6 the words "or livestock product."

Amend Section 7 by striking out in line 3 the word "each" at the end of the line and the word "certified" in line 4 and insert in lieu thereof the words "certifying to;" and, as so amended, it do pass.

Committee on Roads and Highways report that S. B. No. 52 do pass.

Committee on Privileges and Elections report that H. B. No. 3 be not concurred in.

Committee on Stockgrowing and Grazing report that S. B. No. 5 do not pass, but that Substitute for S. B. No. 5 do pass.

Committee on Stockgrowing and Grazing report that S. B. No. 45 do pass.

Committee on Rules, having had under consideration Senate Resolution No. 9, report and recommend the following amendments and changes to the rules of the Nineteenth Legislative Assembly:

That Senate Resolution No. 9 do not pass.

That in lieu of Senate Resolution No. 9, Rule 32 of the Nineteenth

Legislative Assembly be and the same is hereby amended to read as follows:

"Rule 32. Nominations from the Governor. When nominations shall be sent by the Governor to the Senate for confirmation, the same shall not be acted on before the next succeeding legislative day, excepting nominations sent by the Governor on the last legislative day of the session shall be acted upon that day."

That Rule 27, Section 1, be amended as follows:

"When a motion has been made and carried or lost, it shall be in order for any member who voted with the prevailing side, on the same or next succeeding day upon which a legislative session is held, to move for the reconsideration thereof, and such motion shall take precedence of all other questions, except the consideration of a conference report, a motion to fix the day to which the Senate shall adjourn, or take a recess, and shall not be withdrawn after the said succeeding day without the consent of the Senate, and thereafter any member may call it up for consideration, provided that such motion, if made during the last six days of the session, shall be disposed of when made."

That Rule 10, Section 7, be amended to read as follows:

"Engrossing Bills. All Senate bills carrying amendments shall be engrossed. Bills requiring engrossment shall be delivered to the chairman of the Engrossing Committee by the Secretary of the Senate and his dated receipt taken therefor, and he shall deliver the same to the Engrossing Clerk, and take his dated receipt therefor and all said bills shall be engrossed in the order of their receipt by said Engrossing Clerk, unless otherwise ordered by a majority vote of the Senate."

Committee on Rules further recommends that the Senate adopt the rules of the Nineteenth Legislative Assembly except as the same are modified or changed by the foregoing recommendations.

Reports adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

THIRD READING OF SENATE BILLS

Senate Bill No. 22, introduced by Walker, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardecastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—88.

Noes: None.

Absent and not voting: Ballard, Bretzke, Bricker, Chatham, Fulsher, Johnson, Jones (Ravalli), Leavitt, O'Day, Reed, Sample, Shields, Tierney, Tinsley. Total—14.

Senate Bill No. 23, introduced by Walker, having been read three several times, title and history agreed, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson),

son), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jamson, Jensen, Jones (Phillips), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparlin, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Troy, Waite, Warre Westlake, White, Willard, Woodcock, Mr. Speaker. Total—89.

Noes: None.

Absent and not voting: Ballard, Bretzke, Bricker, Chatham, Fulsher, Johnson, Jones (Ravalli), Leavitt, O'Day, Sample, Shields, Tierney, Tinsley. Total—13.

THIRD READING OF HOUSE BILLS

House Bill No. 80, introduced by White, Warren, Gustafson and Jones of Cascade, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Benjamin, Benson, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—82.

Noes: Abrahamson, Barry, Goodwin, Hardcastle, Kelly, Merritt, Mulholland. Total—7.

Absent and not voting: Ballard, Bretzke, Bricker, Chatham, Fulsher, Johnson, Jones (Ravalli), Leavitt, O'Day, Ryder, Sample, Shields, Tinsley. Total—13.

House Bill No. 117, introduced by Bricker and Besancon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—90.

Noes: None.

Absent and not voting: Ballard, Bretzke, Bricker, Chatham, Fulsher, Johnson, Jones (Ravalli), Leavitt, O'Day, Sample, Shields, Tinsley. Total—12.

House Bill No. 118, introduced by Bricker and Besancon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Barry, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson),

Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—87.

Noes: Benson, Larson, Ryder, Sparling. Total—4.

Absent and not voting: Ballard, Bretzke, Bricker, Chatham, Fulsher, Johnson, Leavitt, O'Day, Sample, Shields, Tinsley. Total—11.

House Bill No. 121, introduced by Hodgskiss, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Lillis, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—89.

Noes: None.

Absent and not voting: Ballard, Bretzke, Bricker, Chatham, Fulsher, Johnson, Knowles, Leavitt, Logan, O'Day, Sample, Shields, Tinsley. Total—13.

Moved by Moss, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under the same rules previously adopted.

Mr. Ryder in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole report as follows:

"Mr. Speaker, We, your Committee of the Whole, having had under consideration S. B. No. 3, H. B. No. 81, H. B. No. 112 and H. B. No. 122, respectfully report as follows:

That S. B. No. 3 be concurred in.

That H. B. No. 81 be passed for the present.

That H. B. No. 112 be re-referred to Judiciary Committee.

That the enacting clause be stricken from H. B. No. 122.

RYDER, Chairman."

On motion of Ryder, report adopted.

There being no objections, House reverted to Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduced bills as follows:

By Rockwood: A Bill for an Act entitled: "An Act to amend Sections 5214, 2234, and 2235 of the Revised Codes of Montana, 1921, relating to the collection of city and town taxes and special assessments by the County Treasurer and sale for delinquent taxes and distribution of the proceeds; to the distribution between the State, County and City or Town of moneys received in redemption of property sold for taxes or received from a sale

of property; reports of county treasurer and the recording of grants or deeds; to the sale by the Board of County Commissioners of unredeemed property sold to the County and disposition of the moneys arising from such sale."

By Miller of Fergus: A Bill for an Act entitled: "An Act appropriating money for the payment of claims of C. E. Foster, Clark Baumgarner, F. S. Putnam, and W. S. McCormick for expenses incurred as members of the Board of Managers of the State Terminal Elevator."

By Benjamin: A Bill for an Act entitled: "An Act to authorize County Commissioners to invest moneys under the control of the county in county warrants and prescribing the duties of the County Commissioners, County Clerk and County Treasurer in connection therewith."

By Ryder: A Bill for an Act entitled: "An Act to amend Sections 1219 and 1223 of the Revised Codes of Montana of 1921 as amended by Chapter 120, Session Laws of the Nineteenth Legislative Assembly of the State of Montana, relating to qualifications and oath of electors in school district elections held for the purpose of levying a tax in excess of ten mills within such school district."

UNFINISHED BUSINESS

The Speaker excused Donaldson until Monday at 2:00 P. M.; Dunn until Monday; Kroman until Tuesday morning; Knight, until Monday; Barry, until Monday.

Moved by Moss, duly seconded and carried, that the House adjourn until 11:00 A. M., Saturday, February 5, 1927.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

THIRTY-FOURTH DAY

House of Representatives,

Helena, Montana, February 5, 1927.

House convened pursuant to adjournment at 11:00 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all members present except: Barry, excused by Speaker; Dunn, excused by Speaker; Fulsher, excused on account of illness; Knight, excused by Speaker; Kroman, excused by Speaker; Troy, excused by Speaker; Bricker, excused by Speaker; Johnson, excused by Speaker; Tinslev, excused by Speaker; Donaldson, absent; Moss, absent; Shields, absent.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirty-third legislative day, find the same to be correct.

G. W. DARLINTON, Chairman.

On motion of Darlinton, report adopted.

The Speaker at this time announced the following as members of the committee provided for in the motion of the gentleman from Dawson, to investigate the Judicial Districts:

Sample of Dawson, chairman; Harris of Meagher, Logan of Yellowstone, Hardcastle of Silver Bow, Plank of Liberty.

COMMUNICATIONS AND PETITIONS

The following communications were received and read by the clerk:

Helena, Montana, February 4, 1927.

House of Representatives,
Twentieth Legislative Assembly.

Mr. President: The officers and directors of the State Commercial Service Association respectively extend to you a cordial invitation to attend the annual banquet of the association Monday evening, February 7th at 6:30 P. M., to be held at the mezzanine floor of the Placer hotel.

Speakers of national note and a varied musical program, together with a debate on the installment plan of selling by Montana's most able debaters are features on the banquet program.

Respectfully submitted,
F. F. TUCKER, President.
F. J. HARKIN, Secretary-Manager."

Moved by Flachsenhar, duly seconded and carried, that the following resolution be considered read at length and the Journal so show.

UNITED STATES OF AMERICA—DEPARTMENT OF STATE
STATE OF NORTH DAKOTA

To All to Whom These Presents Shall Come:

I, Robert Byrne, Secretary of State of the State of North Dakota, do hereby certify that the following Concurrent Resolution was adopted by the Twentieth Legislative Assembly on the 13th day of January, 1927.

(Signed): ROBERT BYRNE.
Secretary of State.

(Seal)

CONCURRENT RESOLUTION

(Introduced by Senator Kretschmar)

BE IT RESOLVED, by the Senate of the State of North Dakota, the House of Representatives concurring therein:

WHEREAS, the great and natural resources of the State of North Dakota are as yet undeveloped, and said State is dependent upon agriculture for its prosperity, and agriculture being the fundamental basis for prosperity in all northwest states; and

WHEREAS, in a large measure, if not entirely, the price of agricultural products is dependent upon foreign markets; and

WHEREAS, the present rates for transportation of such products are too high to be in just proportion to the price received therefor at terminal markets, and thus has a tendency to curtail the production of the staple articles of agriculture needed by all people in all lands; and

WHEREAS, the Great Lakes-St. Lawrence waterway project, if completed and perfected, will furnish to the people of the State of North Dakota a cheaper method of transportation of their products to foreign markets, thus assuring them a higher revenue for the same; and

WHEREAS, the adoption and completion of such project has been requested by the farmers and industries of the middle and northwest for many years last past, from the Congress of the United States; and

WHEREAS, the carriers by rail in this nation are now demanding increased rates for the transportation of grain and grain products, making the need for such project more acute than at any previous period.

NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Twentieth Legislative Assembly of the State of North Dakota, the House of Representatives concurring therein, that we do hereby memorialize the Congress of the United States, and respectfully urge that Congress take immediate action towards the passage of such law or laws, which will make

possible the early completion and perfection of the Great Lakes-St. Lawrence waterway project.

BE IT FURTHER RESOLVED, that the Secretary of State of the State of North Dakota send a copy of this resolution to the President of the United States and the President of the Senate, and Speaker of the House of Representatives of the United States, and of the Montana and Minnesota Legislatures respectively, also to our members in Congress.

WALTER MADDOCK, President of the Senate.

W. D. AUSTIN, Secretary of Senate.

(Seal Senate)

JNO. W. CARR, Speaker of the House.

C. R. VERRY, Chief Clerk of the House.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By White, Jones of Cascade and Leavens: A Bill for an Act entitled: "An Act directing the disposition of a portion of the interest on investments made with the money which remained of a fund appropriated by the United States Government on June 25, 1908, to pay the Montana National Guard from the time of call until muster into the service of the United States for the Spanish-American War."

By Green of Dawson: A Bill for an Act entitled: "An Act to regulate the publication of proposed Constitutional Amendments."

REPORTS OF SELECT COMMITTEES

The following reports of select committees were received:

"Mr. Speaker: We, your committee, appointed to send flowers to the sick, report that we received \$9.50 to send flowers to Dr. Fulsher, which were sent to him at two different times. It will be about two weeks yet before he will be able to leave the hospital, and I would suggest that those who have not already contributed to this fund, would contribute now so that we can send him some more flowers.

DOUGHERTY, Chairman."

"Mr. Speaker: We, your committee appointed to arrange for a program for February 12th—Lincoln's Birthday, wish to report progress, and that we have arranged a tentative program which we assure you will not require any apologies.

WHITE, Chairman."

"Mr. Speaker: We, your Special Committee appointed to confer with a like committee of the Senate regarding Senate Amendments to House Bill No. 28, beg leave to report and recommend that the House concur with the Senate Amendments to said bill, and further beg to be discharged.

ROGNLIEN.

JONES of Cascade."

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker. We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 9, 100, 110, and 119.

GREEN of Dawson, Chairman."

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 155, introduced by Cavanaugh, respectfully report as follows:

That House Bill No. 155 be amended as follows: By inserting in line 4 of Section 1 the following before the word "every": "8383. Agisters' Liens and Liens for Service Priority"; by striking out in line 6 of Section 1 the following: "any person lawfully in possession" and inserting in lieu thereof the words: "lawful claimant"; by striking out in line 8 on

page 2 the word "five" and inserting in lieu thereof the word "ten"; by inserting in line 12 of page 2 between the words "vendor" and "stating" the words "and assignee of record, if any"; by inserting in line 20 of page 2 between the words "vendor" and "at"; the words "and the assignee of record, if any"; by inserting in line 1 of page 3 before the word "within" the following: "8384. Mortgagee may take possession of property"; by striking out the word "seven" in line 1 of page 3 and inserting in lieu thereof the word "ten"; by inserting between the words "vendor" and "or" in line 3 of page 3 the words "or his assignee of record, if any"; by inserting between the words "vendor" and "so" in line 8 of page 3 the words "or the assignee of record, if any"; and that as amended, House Bill No. 155 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 158, introduced by Cheadle, Green of Fergus, Miller of Fergus and Moulton, respectfully report as follows: That House Bill No. 158 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 161, 103, 152, 159 as correctly printed.

COONEY, Chairman."

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second times by title only and referred to standing committees:

House Bill No. 190, introduced by Petroleum, Oil and Gas Affairs Committee: A Bill for an Act entitled: "An Act accepting the powers granted by an Act of the 67th Congress, No. 48, entitled: "An Act to amend an Act approved February 22, 1889, entitled: "An Act to provide for the division of Dakota into two states and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and state governments, and to be admitted into the Union on an equal footing with the original states, and to make donations of public lands to such states." Approved August 11th, 1921. Providing for the disposition of oil and gas deposits reserved by the State of Montana or in land owned by the State of Montana; authorizing the State Board of Land Commissioners to grant oil and gas leases covering such deposits; limiting the amount and extent of land which may be leased; defining the qualifications for lessees and assignees; providing the form and contents of such oil and gas leases and for the assignment, relinquishment, surrender, cancellation and foreclosure thereof; requiring the payment of fees and the giving of bonds by lessees and assignees; providing the method for cancelling and forfeiting oil and gas leases hereunder; authorizing the State Board of Land Commissioners to compromise disputes arising under oil and gas leases; providing the manner for ascertaining the full market value of oil and gas deposits reserved by or in land owned by the State, and the payment of rentals and royalties therefor, providing for the sale of royalties due or to become due the State under oil and gas leases; ratifying, confirming, and approving oil and gas leases issued by the State prior to the passage and approval of this Act; providing for the surrender or amendment of oil and gas leases issued by the State prior to passage and approval of this Act; providing for the disposition of moneys derived from oil and gas leases issued hereunder; providing penalties for the violation of this Act; repealing all Acts or parts of Acts in conflict herewith." Referred to Committee on Petroleum, Oil and Gas Affairs.

House Bill No. 191, introduced by Adair. A Bill for an Act entitled: "An Act to prevent fraud in the sale of securities within the State of Montana by regulating the offer for sale and sale thereof, by requiring

registration of such securities and licensing of persons selling or offering securities for sale, by establishing the State Securities Commission and empowering and requiring it to administer and enforce this Act. By providing penalties for violation thereof, and by repealing other laws and parts of laws relating to the same subject matter or inconsistent with the provisions of this Act." Referred to Committee on Judiciary.

House Bill No. 192, introduced by Dougherty, Bonine, Rorvik, Ryder, Benson, Curran and Sparling: A Bill for an Act entitled: "An Act to amend Section 1617 of the Revised Codes of Montana of 1921 relating to the amount of mills County Commissioners may levy for general road tax." Referred to Judiciary Committee.

House Bill No. 193, introduced by Throssel: A Bill for an Act entitled: "An Act amending the defining clause of the Revised Codes of Montana 1921, Section 3186, to include the drug, *Marihuana (Cannabis Indica)*." Referred to Public Health and Sanitary Affairs Committee.

House Bill No. 194, introduced by Plank: A Bill for an Act entitled: "An Act to amend Section 5285 Revised Codes 1921, relating to the funding of floating indebtedness by cities and towns. Referred to Affairs of Cities Committee.

House Bill No. 195, introduced by Ryder: A Bill for an Act entitled: "An Act to amend Sections 1219 and 1223 of the Revised Codes of Montana of 1921 as amended by Chapter 120, Session Laws of the Nineteenth Legislative Assembly of the State of Montana, relating to qualification and oath of electors in school district elections held for the purpose of levying a tax in excess of ten mills within such school district." Referred to Education Committee.

The following bill was introduced, read first time by title, second time at length and referred to Appropriations Committee:

House Bill No. 189, introduced by Miller of Fergus: A Bill for an Act entitled: "An Act appropriating money for the payment of claims of C. E. Foster, Clark Baumgarner, F. S. Putnam, and W. S. McCormack, for expenses incurred as members of the Board of Managers of the State Terminal Elevator."

THIRD READING OF SENATE BILLS

Senate Bill No. 3, introduced by Church, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bretzke, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clausen, Cooney, Curran, Darlington, Dellwo, Doran, Dougherty, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Cascade), Kelly, Knowles, Lamb, Larson, Leavenworth, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Ree Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Steeve Sutton, Thorburn, Throssel, Tierney, Waite, Warren, Westlake, Whit Willard, Woodcock, Mr. Speaker. Total—85.

Noes: Clarke, Hardcastle. Total—2.

Absent and not voting: Barry, Bricker, Donaldson, Dunn, Fulshe Harris, Johnson, Jones (Ravalli), Knight, Kroman, Moss, Sample, Shield Tinsley, Troy. Total—15.

THIRD READING OF HOUSE BILLS

House Bill No. 9, introduced by Donaldson and Flachsenhar, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bretzke, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Doran, Dougherty, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Cascade), Kelly, Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—87.

Noes: Plumer. Total—1.

Absent and not voting: Barry, Bricker, Donaldson, Dunn, Fulsher, Johnson, Jones (Ravalli), Knight, Kroman, Moss, Sample, Shields, Tinsley, Troy. Total—14.

House Bill No. 100, introduced by Westlake, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Cooney, Curran, Darlington, Dellwo, Doran, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Cascade), Kelly, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Stambaugh, Sutton, Thorburn, Throssel, Tierney, Waite, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—74.

Noes: Abrahamson, Bretzke, Clarke, Clausen, Harris, Holton, Knowles, Larson, Rorvik, Ryder, Sparling, Steeves, Warren. Total—13.

Absent and not voting: Barry, Bricker, Donaldson, Dougherty, Dunn, Fulsher, Johnson, Jones (Ravalli), Knight, Kroman, Moss, Sample, Shields, Tinsley, Troy. Total—15.

House Bill No. 110, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Besancon, Bonine, Bretzke, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Dougherty, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Cascade), Kelly, Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: None.

Absent and not voting: Benson, Barry, Bricker, Donaldson, Doran, Dunn, Fulsher, Johnson, Jones (Phillips), Jones (Ravalli), Knight, Kroman, Moss, Moulton, Reed, Sample, Shields, Tinsley, Troy. Total—19.

House Bill No. 119, introduced by Bricker and Besancon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bretzke, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Darlington, Dellwo, Doran, Dougherty, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson),

Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Cascade), Kelly, Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Barry, Bricker, Chatham, Curran, Donaldson, Dunn, Fulsher, Johnson, Jones (Phillips), Jones (Ravalli), Knight, Kroman, Moss, Moulton, Sample, Shields, Tinsley, Troy. Total—18.

Senate Amendments to House Bill No. 28, introduced by Rognlien, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bretzke, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Doran, Dougherty, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Cascade), Kelly, Knowles, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Ryder, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: Larson, Rorvik, Sparling. Total—3.

Absent and not voting: Barry, Bricker, Donaldson, Dunn, Fulsher, Johnson, Jones (Phillips), Jones (Ravalli), Knight, Kroman, Moss, Sample, Shields, Tinsley, Troy. Total—15.

Moved by Flachsenhar, duly seconded and carried that the House recess until 2 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

There being no objections, House reverted to order of business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Flachsenhar, duly seconded and carried that the communications from the Senate be considered read at length and the Journal so show:

Helena, Montana, February 5, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 22, introduced by Cheadle, was, by the Committee on Judiciary, reported back for non-concurrence, but that Senate Substitute for House Bill No. 22 do pass.

Report adopted and House Bill No. 22 is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 5, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 17, introduced by Fulsher, was, by the Committee on Sanitary Affairs, recommended for non-concurrence. Report adopted and the bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 5, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Notices of Introduction of Bills were this day given:

By Eaton and Swift: "An Act to submit to the qualified electors of the State of Montana, an amendment to Section 2 of Article VII of the Constitution of the State of Montana, so as to provide for the appointment of the State Superintendent of Public Instruction by the State Board of Education, notwithstanding any other limitations contained therein."

By Siebert: A Bill for an Act entitled: "An Act to amend Section 382 as regards trespassing stock and providing that only nominal damages may be collected for a trespass unless notice is given within six months after alleged trespass demanding a sum certain in damages therefor."

By Wuerthner: "An Act prohibiting proprietors, managers, or employees of public dance halls to permit minors under the age of eighteen years to frequent such halls."

By Ruffcorn: A Bill for an Act entitled: "An Act to amend Section 153 of the Revised Codes of Montana of 1921, relative to tax on personal property."

By Spencer: "An Act relating to the licensing of motor vehicle operators and chauffeurs, and for the liability of certain persons for negligence in the operation of motor vehicles of the public highways, and to make uniform the law relating thereto."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 5, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the President this day in open session signed House Bill No. 34 and House Bill No. 54.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 5, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following standing committees have this day reported as follows:

Committee on Judicial Districts report that S. B. No. 2, be amended as follows:

That the present title of S. B. No. 2 be stricken out and the following substituted therefor:

"Bill for an Act entitled: 'An Act to amend Sections 8812 and 8813, Revised Codes of Montana, 1921, defining judicial Districts within the State of Montana and designating the number of judges thereof, by including within the Eighth Judicial District as at present constituted the county of Chouteau, and abolishing the Twelfth Judicial District and continuing the numbering of all districts as at present, designating the judges for said districts.'"

That all the language in Section 1 of said bill, commencing with the word "Twelfth District" be stricken out and the following substituted therefor: "Thirteenth District, Big Horn, Carbon and Yellowstone Counties."

"Fourteenth District, Broadwater, Meagher, and Wheatland Counties."

"Fifteenth District, Golden Valley, Musselshell, Rosebud and Treasure Counties."

"Sixteenth District, Carter, Custer, Fallon, Garfield, Powder River and Prairie Counties."

"Seventeenth District, Phillips, and Valley Counties."

"Eighteenth District, Blaine, Hill and Liberty Counties."

"Nineteenth District, Glacier, Pondera, Teton and Toole Counties."

"Twentieth District, Daniels, Roosevelt, and Sheridan Counties."

And that the word "Twelfth" and the comma in line 14 of Section be stricken out, and the bill will then read as follows:

Section 1: That Section 8812, Revised Codes, Montana, 1921, shall be and the same is hereby amended to read as follows:

"8812. Judicial Districts Defined. In this State there are nineteen judicial districts, constituted as follows:

First District, Lewis and Clark County.

Second District, Silver Bow County.

Third District, Deer Lodge, Granite and Powell Counties.

Fourth District, Mineral, Missoula, Ravalli and Sanders Counties.

Fifth District, Beaverhead, Jefferson and Madison Counties.

Sixth District, Park, Stillwater and Sweet Grass Counties.

Seventh District, Dawson, McCone, Richland and Wibaux Counties.

Eighth District, Cascade and Chouteau Counties.

Ninth District, Gallatin County.

Tenth District, Fergus, Judith Basin and Petroleum Counties.

Eleventh District, Flathead and Lincoln Counties.

Thirteenth District, Big Horn, Carbon and Yellowstone Counties.

Fourteenth District, Broadwater, Meagher and Wheatland Counties.

Fifteenth District, Golden Valley, Musselshell, Rosebud and Treasure Counties.

Sixteenth District, Carter, Custer, Fallon, Garfield, Powder River and Prairie Counties.

Seventeenth District, Phillips and Valley Counties.

Eighteenth District, Blaine, Hill and Liberty Counties.

Nineteenth District, Glacier, Pondera, Teton and Toole Counties.

Twentieth District, Daniels, Roosevelt and Sheridan Counties.

Section 2:

Section 8813, Revised Codes of Montana, 1921, shall be and the same is hereby amended to read as follows:

"8813. Number of Judges. In each judicial district there must be the following number of judges of the district court, who must be elected by the qualified voters of the district, and whose term of office must be four years, to-wit: In the second and fourth districts, each three judges; in the first, fifth, eighth, tenth, and fifteenth district, each two judges; in all other districts, one judge each.

Section 3: All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 4: This Act shall be in full force and effect from and after its passage and approval by the Governor, and that, as so amended, the bill do pass.

Committee on Judiciary report that S. B. No. 53 by Dowlin, do pass.

Committee on Judiciary report that S. B. No. 15, by Donovan and McCabe, do not pass.

Committee on Judiciary report that H. B. No. 22, be not concurred in, but that Sub. for H. B. No. 22, which is Senate Sub. Bill for H. B. No. 22 do pass.

Committee on Libraries report that House Bill No. 58 be concurred in.

Committee on Public Morals report that Senate Bill No. 41 do pass.

Committee on Sanitary Affairs report that H. B. No. 17 be not concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 5, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second times and referred to the standing committees:

Senate Sub. for H. B. No. 22, by Judiciary Committee: A Bill for an Act entitled: "An Act making it unlawful to sell, give away, or dispose

of intoxicating liquor to a minor, prescribing punishment therefor, defining intoxicating liquor, and repealing Chapter 39 of the Acts of the Eighteenth Legislative Assembly of the State of Montana." Printing.

S. B. No. 61, by Goodman: A Bill for an Act entitled: "An Act to amend Sections 715, and 717 of the Revised Codes of Montana of 1921 relating to electors voting by absent ballot and prescribing the form of application for such ballot." Privileges and Elections.

S. B. No. 62, by Duncan: A Bill for an Act entitled: "An Act to amend Section 443 of the Revised Codes of the State of Montana and Chapter 124 of the Eighteenth Legislative Assembly, amending said Section relative to the allowance of traveling or other expenses of state, county, city, school district officers or employees." Education.

S. B. No. 63, by Pauline: A Bill for an Act entitled: "An Act providing for the preservation of the property belonging to the legislative department of the State of Montana and providing penalty for the removal or destruction of such property." Public Buildings.

S. B. No. 64, by Duncan and Paul: A Bill for an Act entitled: "An Act to amend Section 6670 of the Revised Codes of Montana, of 1921, relating to property deemed affixed to a mine." Judiciary.

S. B. 65, by Duncan: A Bill for an Act entitled: "An Act authorizing the issuance of bonds by irrigation districts for the redemption and payment of the bonds and warrants of such districts." Irrigation.

S. B. No. 66, by Shelver: A Bill for an Act entitled: "An Act to amend Section 3242 of the Revised Codes of 1921 relating to cases in which C. P. A. examinations may be waived, so as to provide a waiver for World War Veterans suffering from a physical disability." Military Affairs.

Respectfully,

J. F. CONE, Secretary of Senate."

Committee on Enrolling reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill No. 37.

WAITE, Chairman."

The Speaker gave notice that he was about to sign House Bill No. 37, and thereupon signed the same.

At the request of Flachsenhar, there being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The Committee on Banks and Banking was given permission to introduce the following bill without previous notice, which bill was read first and second time by title and referred to Committee on Banks and Banking:

House Bill No. 196, by Banks and Banking Committee: A Bill for an Act entitled: "An Act to amend Section 4767 of the Revised Codes of Montana 1921, as amended by Chapter 89 of the Laws of the Eighteenth Legislative Assembly and as further amended by Chapter 137 of the Laws of the Nineteenth Legislative Assembly, relating to the deposit of county, city and town funds."

At the request of Reed, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Reed, duly seconded and carried, that House Bill No. 87, now on General Orders, be changed in order, so that it will come after House Bill No. 124 on General Orders Monday; and that House Bills Nos. 160, 162, 163, and 164 be passed for the day.

CONSIDERATION OF GENERAL ORDERS

Moved by Moss, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders under the rules previously adopted.

Mr. Darlinton in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 81, 102, 128, 138, 139, 143, 77, 127 and 154 respectfully report as follows:

That House Bill No. 81 be passed for the day.

That House Bill No. 102 be passed for the day.

That House Bill No. 128 be amended as follows:

Section 3: By striking out all of Section 3; and, that as so amended said bill do pass.

That H. B. No. 138 do pass.

That H. B. No. 139 do pass.

That House Bill No. 143 be amended as follows:

Section 3: By adding after the word "certainty", in line 16, the word "provided that said district shall not include more nor less territory than that described in the petition."

And, that, as so amended, said bill do pass.

That consideration of House Bill No. 77 be passed for the time.

That House Bill No. 127 do pass.

That House Bill No. 154 be amended as follows:

Section 1: By adding in line 27, between the words "veterans" and "may", the following words: "Department of Montana"; also by striking out in line 13 the period, and adding the words: "Department of Montana. And, that, as so amended, said bill do pass.

G. W. DARLINTON, Chairman.

On motion of Darlinton, report adopted.

At the request of Reed, there being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS AND
SECOND READING OF SAME

The Appropriations Committee was granted permission to introduce the following bill without previous notice, which bill was read first time by title, second time at length and referred to the Appropriations Committee:

House Bill No. 197, by Appropriations Committee: A Bill for an Act entitled: "A supplementary appropriation bill appropriating money for the State Board of Hail Insurance, the administration of the motor vehicle license and registration laws, and the Fish and Game Commission."

At the request of Lillis, there being no objections, House reverted to Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Committee on Irrigation and Water Rights: A Bill for an Act entitled: "An Act to repeal Chapter 153, Laws Seventeenth Legislative Assembly of 1921, entitled: 'An Act relating to Irrigation Districts; providing a comprehensive method and system for the creation, organization, government, management, control, operation, administration and dissolution

ion of irrigation districts under the supervision of the Public Service Commission of Montana; defining and describing the powers, duties and authority of the Public Service Commission of Montana in connection with the creation, organization, government, management, control, operation and powers, duties and rights of such irrigation districts and their officers; authorizing and empowering such irrigation districts to construct, purchase, or otherwise acquire works, water, property and rights necessary for the irrigation of the lands within and comprising the districts; authorizing the incurring of indebtedness in the connection with the purchase, construction or acquiring of such works, water, property and rights. And the maintenance, management, control and operation thereof, and the assessing and levying of special assessments and taxes on the lands within and comprising such districts for the purpose of raising funds to pay such indebtedness; providing that the provisions of this Act may extend and apply to irrigation districts heretofore organized and existing or in process of organization under existing laws; now incorporated as Section 3953 to 3955, inclusive, Revised Codes of Montana, 1921, as amended by Chapter 47, Laws Eighteenth Legislative Assembly, 1923, and Chapter 135, Laws Nineteenth Legislative Assembly, 1925; and to repeal Chapter 13, Laws Extraordinary Session, Sixteenth Legislative Assembly, 1919, now incorporated as Sections 3947 to 3952, inclusive, Revised Codes of Montana, 1921, and to repeal all of said Sections."

By Gustafson: A Bill for an Act entitled: "An Act to amend Section 338 of the Revised Codes of the State of Montana of 1921, relative to publication of description of estray livestock sold; providing for the disposition of the proceeds remaining in the State Treasury and changing the time of publication of description from four weeks to two weeks."

By Committee on Irrigation and Water Rights: A Bill for an Act entitled: "An Act relating to drainage districts, amending Sections 7286, 7307, 7322, 7323, 7327 of the Revised Codes of Montana, 1921, and 7342 of said Codes as amended by Chapter 109 of the Laws of 1923, adding a section to be designated as Section 7364A to said Codes, authorizing commissioners of drainage districts to designate depositories for funds of the district, the payment of interest on deposits to drainage district, specifying the various classes of property, persons and corporations against which assessments may be made to aid in payment of costs of construction of drains, repairs, up-keep, administrative and incidental expenses of drainage districts, the levy of additional assessments in case any assessment be declared void and providing for the levy of assessments upon certain lands, irrigation ditches and canals, to aid in payment of cost of construction of drains, which lands, ditches, and canals were not or shall not be included in the original assessments for costs of such construction."

At the request of Leavitt, there being no objections, House reverted to Order Business No. 6.

MOTIONS AND RESOLUTIONS

By Leavitt: For the purpose of enabling the House Committee appointed to investigate the price of gasoline in Montana, now sitting in conjunction with a like committee of the Senate, in order to secure such evidence as it shall be material and necessary for such investigation, I move that the House Committee appointed for the purposes aforesaid, be, and upon the adoption of this motion, is authorized and empowered to issue subpoena and to thereby compel such witnesses to appear and testify before the committee sitting with a like Committee of the Senate, as the committee may deem necessary. Motion carried.

UNFINISHED BUSINESS

Moved by Moss, duly seconded, that the House adjourn until 11:00 A. M., Monday, February 7.

Moved by Flachsenhar, as a substitute motion, duly seconded, that the House adjourn until 10:30 A. M., Monday, February 7.

Question arising on substitute motion, same carried.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

THIRTY-SIXTH DAY

House of Representatives,
Helena, Montana, February 7, 1927.

House convened pursuant to adjournment at 10:30 P. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all present except: Fulsher, excused on account of illness; Hagerty, excused indefinitely on account of death of brother.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirty-fourth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Leavitt: A Bill for an Act entitled: "An Act to amend Section 10480 and Section 10485 of the Revised Codes of the State of Montana, 1921, relating to allowance for dependent children under the Mothers' Pension Act, designating the county by whom such allowance shall be paid and repealing all Acts and parts of Acts in conflict herewith."

By Committee on Irrigation and Water Rights: A Bill for an Act entitled: "An Act to amend Section 7210 of the Revised Codes of Montana, 1921, as amended by Section 7, of Chapter 157, Laws of the Eighteenth Legislative Assembly, State of Montana, 1923, and to amend Section 7210 of the Revised Codes of Montana, 1921, as amended by Section 1 of Chapter 161, Laws of the Eighteenth Legislative Assembly, State of Montana, 1923, and repealing Section 7216, Revised Codes of Montana, 1921, as amended by Section 2 of Chapter 161, Laws of the Eighteenth Legislative Assembly, Section 7217, Section 7218 as amended by Section 30, Chapter 161, Laws of the Eighteenth Legislative Assembly, Section 7219, Section 7220, as amended by Section 11, Chapter 157, Laws of the Eighteenth Legislative Assembly, Sections 7221, 7222, 7223, 7224, as amended by Section 12 of Chapter 157, Laws of the Eighteenth Legislative Assembly, and Section 7225 of the Revised Codes of Montana, 1921, relating to petition for bonds of irrigation districts, action thereon, and confirmation of bonds, proceedings of irrigation districts, and to the creation of the irrigation district bond commission, prescribing its powers and duties, examination of irrigation districts and irrigation district bonds by said commission, certification of said bonds by Secretary of State, and making said bonds legal investment for trust funds, etc."

By Jameson and Arnold: A Bill for an Act entitled: "An Act to appropriate money for the payment of assessments and interest on delinquent assessments on certain school lands in Big Lake Drain District No. Stillwater County, Montana."

By Holton, Cavanaugh and Foot: A Bill for an Act entitled: "An Act to amend Section 105, of the Montana Revised Codes of 1921, relating to the printing, binding and delivery of Referendum and Initiative Measures."

Committee on Enrolling reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill No. 28.

WAITE, Chairman."

Committee on Engrossing reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 127, 128, 138 and 139.

GREEN of Dawson, Chairman."

Committee on Printing reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 89, 151, 157, 165, 166, 171 and House Resolution No. 4 as correctly printed.

COONEY, Chairman."

REPORTS OF STANDING COMMITTEES

The following reports of Standing Committees were received:

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 182, introduced by Appropriations Committee respectfully report as follows: That House Bill No. 182 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 184, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 184 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 197, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 197 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 181, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 181 do not pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 29, introduced by Mulholland, respectfully report as follows: That House Bill No. 29 do not pass.

WAITE, Chairman."

Moved by Waite, duly seconded, that the report be adopted.

Moved by Mulholland, as a substitute motion, duly seconded, that House Bill No. 29 be ordered printed and placed on General Orders.

Question arising on substitute motion, same failed.

Question arising on original motion, same carried.

The Speaker gave notice that he was about to sign House Bill No. 28, and thereupon signed same.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second time by title only and referred to standing committees:

House Bill No. 198, introduced by Green of Dawson: A Bill for an Act entitled: "An Act to regulate the publication of proposed constitutional amendments." Referred to Committee on Constitutional Amendments.

House Bill No. 199, introduced by White, Jones of Cascade and Leavey: A Bill for an Act entitled: "An Act directing the disposition of a portion of the interest on investments made with the money which remained of a fund appropriated by the United States government on June 25, 1908, to pay the Montana National Guard from the time of call until muster into the service of the United States for the Spanish-American War." Referred to Committee on Military Affairs.

House Bill No. 200, introduced by Rognlien: A Bill for an Act entitled: "An Act to amend Sections 6339 and 6344 of the Revised Codes of Montana, 1921, relating to death annuity benefits on lives of children in fraternal benefit societies by providing that death annuities may be written on the lives of children between the ages of two and eighteen years without restriction as to legal relationship to members of such societies." Referred to Committee on Insurance.

House Bill No. 201, introduced by Committee on Irrigation and Water Rights: A Bill for an Act entitled: "An Act relating to drainage districts, amending Sections 7286, 7307, 7322, 7323, 7327 of the Revised Codes of Montana, 1921, and 7342 of said Codes as amended by Chapter 109 of the laws of 1923, adding a Section to be designated as Section 7364A to said Codes, authorizing commissioners of drainage district to designate depositories for funds of the district, the payment of interest on deposits to drainage district, specifying the various classes of property, persons and corporations against which assessments may be made to aid in payment of costs of construction of drains, repairs, up-keep, administrative and incidental expenses of drainage districts, the levy of additional assessments in case any assessment be declared void and providing for the levy of assessments upon certain lands, irrigation ditches and canals, to aid in payment of cost of construction of drains, which lands, ditches and canals were or shall not be included in the original assessment for costs of such construction." Referred to Committee on Irrigation and Water Rights.

House Bill No. 202, introduced by Rockwood: A Bill for an Act entitled: "An Act to amend Section 5214, 2234 and 2235 of the Revised Codes of Montana, 1921, relating to the collection of city and town taxes and special assessments by the County Treasurer and sale for delinquent taxes and distribution of the proceeds, to the distribution between the State, County and City or Town of moneys received in redemption of property sold for taxes or received from a sale or property; reports of County Treasurer and the recording of grants or deeds, and to the sale by the Board of County Commissioners of unredeemed property sold to the county and disposition of the moneys arising from such sale." Referred to Committee on Judiciary.

House Bill No. 203, introduced by Committee on Irrigation and Water Rights: A Bill for an Act entitled: "An Act to repeal Chapter 153, Laws of the Seventeenth Legislative Assembly, 1921, entitled: 'An Act relating to Irrigation Districts; providing a comprehensive method and system for the creation, organization, government, management, control, operation, administration and dissolution of irrigation districts under the supervision of the Public Service Commission of Montana; defining and describing the powers, duties and authority of the Public Service Commission of Montana in connection with the creation, organization, government, management, control, operation and the powers, duties and rights of such irrigation districts and their officers; authorizing and empowering such irrigation districts to construct, purchase, or otherwise acquire works, water property and rights necessary for the irrigation of the lands within and comprising the districts; authorizing the incurring of indebtedness in the connection with the purchase, construction or acquiring of such works, water, property and rights, and the maintenance, management, control and operation thereof, and the assessing and levying of special assessments and taxes on the lands within and comprising such districts for the purpose of raising funds to pay such indebtedness; providing that the provisions of this Act may extend and apply to irrigation districts heretofore organized and existing or in process of organization under existing laws; now incorporated

Sections 3953 to 4025, inclusive, Revised Codes of Montana, 1921, as amended by Chapter 147, Laws Eighteenth Legislative Assembly, 1923, and Chapter 135, Laws Nineteenth Legislative Assembly, 1925; and to repeal Chapter 13, Laws Extraordinary Session, Sixteenth Legislative Assembly, 1919, now incorporated as Sections 3947 to 3952, inclusive, Revised Codes of Montana, 1921, and to repeal all of said Sections." Referred to Committee on Irrigation and Water Rights.

SPECIAL ORDER CONSIDERATION OF GENERAL ORDERS

With respect to House Bill No. 4.

Moved by Bricker, duly seconded and carried, that, subject to the motion made Friday by Mr. Moss, the House now resolve itself into Committee of the Whole for Special Order of Business set for this hour; that proponents and opponents of bills be given five minutes and others three for discussion of the bill; and that on amendments proponents and opponents be allowed three minutes and others two, with no trading of time; and that the bill be read by history, title and section numbers only, except on request to have certain sections read at length.

Mr. Nelson in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 4, respectfully report as follows: That House Bill No. 4 be amended as follows:

Section 3: By adding at the end of line 1 the word "certified."

Section 11: By striking out in line 6 the word "and" and inserting in lieu thereof the word "or"; also inserting in line 4, after the word "and" where it last appears the word "of".

Section 12: By striking out the word "dues" where it appears in Subdivision 7, line 17, page 6 of the printed bill and by inserting the letter "n" after the word "fine" and advancing the comma where such word appears; also in line 17, page 6, of the printed bill.

By adding after the word "stockholder", being the last word in Subdivision 7, line 19, page 6 of the printed bill the following: "In case of associations operating under a serial plan such fines shall not exceed the total amount of earnings credited."

By striking out in line 44, page 7, of the printed bill the figures "5%" and inserting in lieu thereof the figures "10%"; also in line 45, on page 7 of the printed bill, by inserting the word "real" after the word "other" and before the word "property."

By striking out in line 46 the word "two" and inserting in lieu thereof the word "three."

Subdivision 12, by inserting a comma after the word, "money" in line 3 of the printed bill and the words "only when necessary", by striking out the words "evidence of indebtedness" in line 49 and inserting in lieu thereof the words "promissory note."

Subdivision 13, by adding after the word "loan" where it appears the second time in line 70, page 7, of the printed bill the following: "all interest to be computed and paid only at the rate therein stated, and for the actual time for which said principal, or the part thereof, upon which interest is computed, shall have remained unpaid."

Section 17: By inserting in line 4, after the word "stock", the words "or loans", also by inserting in line 5, after the word "stock", the words "or loans"; also by inserting in line 7 after the word "stock", the words "or loans"; also by inserting in line 13 after the word "address", the words "community or district in which he wishes to act as agent."

Section 22: By striking out in line 8 appearing on page 11 of the printed bill, the words, "three times consecutively" and inserting in lieu thereof the word "once."

Section 26: By adding the words "after examination" following the word "Banks" in line 2, page 12 of the printed bill.

Section 38: By striking out in line 4, page 16 of the printed bill the word "knowingly" and inserting in lieu thereof the word "wilfully"; in Section 38, by striking out in line 8, appearing on page 16 of the printed bill, the word "knowingly" and inserting in lieu thereof the word "wilfully."

Section 39: By striking out in line 4, page 16, the word "face" and also the word "obligation" in line 5 of said page, and inserting in lieu of the word "face" the word "books", and in lieu of the word "obligation" the word "association."

Section 49: By inserting in line 39 after the word "may" the words "upon a proper and sufficient showing of cause therefor."

Section 51: By inserting after the word "that" in line 7 of page 10 of the printed bill the words "the repeal of".

And that as so amended said bill do pass.

NELSON, Chairman."

On motion of Nelson, report adopted.

Moved by Bricker, duly seconded and carried, that the House now recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

SPECIAL ORDER

CONSIDERATION OF GENERAL ORDERS

With respect to House Bill No. 137.

Moved by Bricker, duly seconded and carried, that the House now solve itself into Committee of the Whole, for the consideration of Special Order of Business set for this date; under the same rules adopted at previous sitting.

Mr. White in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 137, respectfully report as follows: That House Bill No. 137 be amended by striking out the enacting clause.

WHITE, Chairman."

On motion of White, report adopted.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Tierney, duly seconded and carried, that House Bill No. 10 be taken from General Orders and re-referred to Judiciary Committee.

THIRD READING OF HOUSE BILLS

House Bill No. 127, introduced by Sample, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke,

Irns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—97.

Noes: None.

Absent and not voting: Fulsher, Hagerty, Johnson, Jones (Phillips), Reed. Total—5.

House Bill No. 128, introduced by Lillis, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLead, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—92.

Noes: None.

Absent and not voting: Bricker, Chatham, Darlington, Fulsher, Hagerty, Johnson, Jones (Phillips), Knowles, Reed, Ryder. Total—10.

House Bill No. 138, introduced by Leavens, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—93.

Noes: None.

Absent and not voting: Curran, Fulsher, Hagerty, Jameson, Johnson, Kelly, Reed, Tierney, Waite. Total—9.

House Bill No. 139, introduced by Leavens, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson,

Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, holland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Ryder, Sample, Shields, Spivey, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, lake, White, Willard, Woodcock, Mr. Speaker. Total—96.

Noes: None.

Absent and not voting: Fulsher, Hagerty, Johnson, Rorvik, Stambaugh, Waite. Total—6.

There being no objections, House reverted to Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Committee on Conservation of Resources: A Bill for an Act entitled: "A Act for the protection and conservation of the supply of natural gas of the State of Montana, prohibiting the waste and wasteful use of natural gas through burning or consumption thereof for the manufacturing or producing of carbon or other resultant products therefrom, prohibiting the taking, using, sale or other disposition of natural gas from gas wells for such purposes, and providing penalties for the violation of such Act."

By Committee on Dairying: A Bill for an Act entitled: "An Act defining farm dairies, milk distributors and milk plants; providing for the sanitary inspection and licensing of dairies and of various plants handling or manufacturing dairy products and regulating the disposal of license fees; authorizing the Department of Agriculture, Labor and Industry to regulate the operation of the same and repealing Section 3282, R. C. M. 1921 as amended by Section 11 of Chapter 35 of the Session Acts of the Eighteenth Legislative Assembly of Montana of 1923, and all Acts and parts of Acts in conflict herewith."

By Burns, Rockwood, Foot and Moss: A Bill for an Act entitled: "An Act to amend Sections 3158 and 3166 of the Revised Codes of the State of Montana as amended by Chapter 171 of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, relating to the regulation of the practice of optometry, and to prevent ignorant, unprofessional or incompetent persons from practicing same."

By Knight: A Bill for an Act entitled: "An Act to amend Section 5138 of the Revised Codes of Montana, of 1921, relating to the hours of continuous employment of firemen in cities of the first and second class, and repealing all Acts and parts of Acts in conflict herewith."

By Larson, Abrahamson, Sparling and Troy: A joint memorial memorializing Congress to direct the Interstate Commerce Commission to withhold its consent to the consolidation of railroads operating in Montana until the consent of the people has been obtained to such consolidation."

By Committee on Dairying: A Bill for an Act entitled: "An Act defining and regulating pasteurization; requiring the pasteurization of all milk or cream used by creameries in this State for the manufacture of butter for sale and the pasteurization of all milk or cream used in the manufacture of ice cream for sale. Defining creameries; regulating the sale of ice cream and the labeling of containers and providing penalties for the violation of this Act."

At the request of Clarke, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Affairs of Cities, having held under consideration House Bill No. 96, introduced by Leavitt, respectfully report as follows:

That House Bill No. 96 be amended, in line 8 of the bill itself, being 6, of Clause A thereof, by striking out the words "may in its discretion" and inserting in lieu thereof the word "must". Adding a subdivision said bill after Clause B thereof, which shall be as follows:

"(c) Provided nothing in this Act shall be construed as authorizing transfer or re-habilitation of special improvement district funds, or acts, or delinquent bonds."

And that House Bill No. 96 do pass as amended.

CLARKE, Chairman."

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 194, introduced by Plank, respectfully report as follows: That House Bill No. 194 do pass.

CLARKE, Chairman."

On motion of Clarke, report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 199, introduced by White, Jones of Casper and Leavens, respectfully report as follows: That House Bill No. 199 do pass.

WHITE, Chairman."

On motion of White, report adopted.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the same rules adopted at previous sitting.

Mr. Nelson in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 124, 87, 77, 81, 160, 162, 164, 163, 103, 152, 161, respectfully report as follows:

That consideration of House Bill No. 124 be passed for the time.

That House Bill No. 87 do pass.

That House Bill No. 77 be amended as follows:

Section 1: By adding the following at the end of said section: "And in addition thereto there is hereby appropriated from said fund the sum of \$1000 for burial expenses; provided, however, that before said money be paid to said Martha B. Williams that the said Industrial Accident Board shall investigate and determine the validity of said claim and if the same shall find that said claim of said Martha B. Williams would have been a just and valid claim in the sum of \$6,000.00 or any less amount, the same has been presented in time, then, the said board is hereby authorized and empowered to pay such amount as said board shall allow, not to exceed Six Thousand Dollars (\$6,000.00). And that as so amended said House Bill No. 77 do pass.

That House Bill No. 81 do pass.

That consideration of House Bills Nos. 160, 162, 164, 161, 163 be passed for the day.

That House Bill No. 103 do pass.

That House Bill No. 152 do pass.

That House Bill No. 159 be amended as follows:

Section 8: By striking out all of Section 8; and that as so amended House Bill No. 159 do pass.

NELSON, Chairman."

On motion of Nelson, report adopted.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:00 A. M., Tuesday, February 8.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

THIRTY-SEVENTH DAY

House of Representatives,
Helena, Montana, February 8, 1927.

House convened pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all members present, except: Fulsher, excused on account of illness; Hagerty, excused indefinitely.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirty-sixth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Leavitt and Kroman: A Bill for an Act entitled: "An Act to amend Section 1, Section 2, Section 4 and Section 6 of Chapter 154 of the Laws of the Eighteenth Legislative Assembly relating to the supervision and regulation of the transportation of persons and property for compensation on any public highway in the State of Montana by motor vehicles, motor trucks, motor busses, bus trailer, semi-trailers and other motor vehicles being operated as common carriers; defining what constitutes transportation for compensation; defining transportation companies, common carriers and other terms used in this Act; providing for the supervision and regulation thereof by the Railroad Commission of Montana and repealing all Acts and parts of Acts in conflict herewith."

By Livestock and Public Ranges Committee: A Bill for an Act entitled: "An Act establishing a license tax on livestock coming into Montana from other States, and grazing therein, providing for collection of same and distribution of such tax and fixing the penalties for violation of this Act."

By White, Besancon, Logan and Flachsenhar: A Bill for an Act entitled: "An Act relating to contracts for the construction of buildings or the alteration, repair and improvement of buildings and grounds on behalf of and for the benefit of the State, advertising for bids, awarding contracts and prohibiting the cost plus system or principle."

By Holton, Ryder, Merritt, Benson, Foot and Waite: A House Resolution: "A resolution requesting the State Board of Examiners to file a written report of its recommendation and plan of repayment to the investment fund, moneys wrongfully used therefrom as acknowledged by Senate Joint Resolution No. 8, Session Laws of 1925, page 472."

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

Mr. Speaker: We, your Committee on Townships and Counties, have had under consideration House Bill No. 123, introduced by Darlington and Reed, respectfully report as follows: That House Bill No. 123, be passed and placed on General Orders without recommendation.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, have had under consideration House Bill No. 156, introduced by Cheadle, Gien of Fergus, Miller of Fergus and Moulton, respectfully report as follows: That House Bill No. 156 do pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, have had under consideration House Bill No. 167, introduced by Donaldson, respectfully report as follows: That House Bill No. 167 do pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, have had under consideration House Bill No. 140, introduced by Donaldson Reed, respectfully report as follows: That House Bill No. 140 do pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, have had under consideration House Bill No. 141, introduced by Donaldson Reed, respectfully report as follows: That House Bill No. 141 be amended as follows: By striking out in line nine (9) the word "six" and inserting in lieu thereof the word "five", also by striking out the word "December" and inserting in lieu thereof, the word "July", and as so amended the bill do pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, have had under consideration House Bill No. 142, introduced by Donaldson Reed, respectfully report as follows: That House Bill No. 142 be amended by striking out in line fifteen (15) the words and figures, "Seven Thousand Dollars, (\$7,000.00)", and inserting in lieu thereof the words and figures, "Seven Thousand Two Hundred Dollars, (\$7,200.00)"; also that the words and figures "Six Thousand Dollars (\$6,000.00)" be struck out in line sixteen (16) and seventeen (17) and that words and figures "Six Thousand Five Hundred Dollars, (\$6,500.00)" be inserted in lieu thereof; that the words "and sixth" be struck out in line eighteen (18) and that the following be added as a subdivision after the words and figures "Four Thousand Dollars (\$4,000.00)" "In counties of the sixth class, the sum of Three Thousand Six Hundred Dollars (\$3,600.00)", and that said bills as amended do pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 185, introduced by Nagle, respectfully report as follows: That House Bill No. 185 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 112, introduced by Jones of Phillips, Troy, Gien of Fergus, Sutton, Steeves, Nelson, Donaldson, Leavitt, Gustafson, Mine and Dellwo, respectfully report as follows: That House Bill No. 112 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 192, introduced by Dougherty, Bonine, Rorvik, Mer, Benson, Curran and Sparling, respectfully report as follows: That House Bill No. 192, do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means, having under consideration House Bill No. 168, introduced by Jones of Cascade, Westlake and Jones of Ravalli, respectfully report as follows: That House Bill No. 168 do not pass.

TROY, Chairman."

On motion of Troy, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times by title only and referred to standing committees:

House Bill No. 204, introduced by Burns, Rockwood, Moss and Foot: A Bill for an Act entitled: "An Act to amend Sections 3158 and 3166 of the Revised Codes of the State of Montana as amended by Chapter 171 of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, relating to the regulation of the practices of optometry, and to prevent ignorant, unprofessional, or incompetent persons from practicing same." Referred to Public Health and Sanitary Affairs Committee.

House Bill No. 206, introduced by Budas: A Bill for an Act entitled: "An Act requiring notice of delinquent taxes to be given to taxpayers in June of each year." Referred to Revenue and Taxation Committee.

House Bill No. 207, introduced by Committee on Conservation of Natural Resources: A Bill for an Act entitled: "An Act for the protection and conservation of the supply of natural gas of the State of Montana, prohibiting the waste and wasteful use of natural gas through burning or consumption thereof for the manufacturing or producing of carbon or resultant products therefrom, prohibiting the taking, using, sale or disposition of natural gas from gas wells for such purposes, and providing penalties for the violation of such Act." Referred to Committee on Conservation of Natural Resources.

House Bill No. 208, introduced by Knight: A Bill for an Act entitled: "An Act to amend Section 5138 of the Revised Codes of Montana relating to the hours of continuous employment of firemen in cities of the first and second class, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 209, introduced by Leavitt: A Bill for an Act entitled: "An Act to amend Section 10480 and Section 10485 of the Revised Codes of the State of Montana, 1921, relating to allowance for dependent children under the Mothers' Pension Act, designating the county by whom allowance shall be paid, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Workmen's Compensation.

Senate Bill No. 30, introduced by Committee on Education: "An Act assenting to the provisions of an Act of Congress entitled: "An Act to authorize the more complete endowment of the Agricultural Experiment Stations and for other purposes. Approved February 24, 1925." Referred to Agriculture Committee.

The following bills were introduced, read first time by title, and time at length and referred to standing committees:

House Bill No. 205, introduced by Jameson and Arnold: A Bill for an Act entitled: "An Act to appropriate money for the payment of assessments and interest on delinquent assessments on certain school lands in Lake Drain District No. 1, Stillwater County, Montana." Referred to Appropriations Committee.

House Joint Memorial No. 2, introduced by Larson, Abrahamson, Ling and Troy: "Relative to the consolidation of railroads within the State of Montana." Referred to Committee on Railroads and Transportation.

At the request of Reed, the Appropriations Committee was given permission to introduce the following bills without previous notice, and the bills were read first time by title, second time at length and referred to Appropriations Committee.

House Bill No. 210, introduced by Appropriations Committee: A Bill or an Act entitled: "An Act to appropriate money to reimburse J. P. Weston, S. R. West, and Archie Ballard, for damage and destruction of crops of grain by elk, while said animals were under protection of the State of Montana and its employees of the Fish and Game Department."

House Bill No. 211, introduced by Appropriations Committee: A Bill or an Act entitled: "An Act to appropriate money to re-imburse R. N. Lodge, J. C. Ross, and Charley B. Ross, for damage and destruction of crops of grain by elk, while said animals were under protection of the State of Montana and its employees of the Fish and Game Department."

Committee on Engrossing reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 103, 143, 152 and 154.

GREEN of Dawson, Chairman."

MOTIONS AND RESOLUTIONS

Moved by Rorvik, duly seconded, that the House reconsider its action on House Bill No. 159. Motion lost.

Moved by Cavanaugh, duly seconded, that the House reconsider its action on House Bill No. 87, and that the bill be recalled from Engrossing Committee and replaced on General Orders. Motion lost.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 7, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that S. B. No. 30, introduced by Committee on Education, was this day read three several times, title and history agreed to, and is herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 7, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that House Bill No. 26, introduced by Burns, Gustafson and Nelstead, was this day reported out from the Committee on Counties and Towns with a recommendation that it be not concurred in. Report adopted and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 7, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following notices were this day given:

By Wuerthner: "An Act amending Section 5711 Revised Codes of Montana, 1921, relating to obtaining marriage license from Clerk of any district Court."

By Ruffcorn: "An Act to amend Section 103 of the Revised Codes of Montana of 1921, relating to the certification, entitling and numbering of initiative and referendum measures; the printing of same on the official lot and reepling all Acts and parts of Acts in conflict herewith."

By Hazelbaker: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 5 of Article XVI of the Constitution of the State of Montana, designating the number and term of county Officers and authorizing the consolidation of county offices upon approval of the majority of the qualified electors of a county."

By Gilboe: "An Act to provide for the dissolution of Joint School Districts, providing for the holding of an election, the adjustment of indebted-

ness, validating certain defacto districts and repealing Section 1037 R. M. 1921."

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 7, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced, read first and second times, and referred to the standing committees:

House Bill No. 9—Privileges and Elections Committee.

House Bill No. 100—Judiciary Committee.

House Bill No. 110—Finance and Claims Committee.

House Bill No. 119—Roads and Highways Committee.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 7, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows: Report adopted.

That S. B. No. 24 do pass.

That consideration of S. B. No. 38 be passed.

That S. B. No. 34 do pass.

That consideration of S. B. No. 17 be passed.

That consideration of H. B. No. 72 be passed.

That H. B. No. 48 be concurred in.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 7, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House amendment to Senate Bill No. 22, by Walker, was this day concurred in.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 7, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees have this day reported as follows:

Committee on Finance and Claims report and recommend that H. B. No. 64 be amended as follows:

That the report heretofore made on this bill by this committee be the same is hereby made a part of this report, except as hereinafter changed, and that in addition to the amendments provided for in the original report, that the following amendments be made:

Committee on Finance and Claims report that the amendment provided for in the original report, on H. B. No. 64, Section 1, page 4, line 19 of the engrossed bill be stricken out, and that all of lines 18 and 19, 20, 21, 22 and 23, page 4, Section 1 of the engrossed bill be stricken out and the following inserted in lieu thereof:

"For operating expense of the superintendent's office and for salaries of high school inspector and for salaries of rural school inspectors and traveling expenses, the sum of \$17,730.00".

That said bill be further amended at line 31, Section 1, page 3 of the engrossed bill by striking out the words and figures "\$4136.00" and substituting in lieu thereof the words and figures "\$3536.00" and that said bill be further amended at lines 27 and 28, page 3, Section 1 of the engrossed bill by striking out the words and figures "\$4900.00" and inserting in lieu thereof the words and figures "\$5500.00".

Amend at Section 2, page 8, lines 19 and 20 by striking out the amendment thereto and striking out said lines 19 and 20 of said engrossed bill and inserting in lieu thereof the following:

"For operating expense of the superintendent's office and for salaries of high school inspector and for salaries of rural school inspectors and for traveling expenses, the sum of \$17,730.00".

Amend by striking out the words and figures "\$4900.00" at lines 29 and 30, page 7, Section 2 of the engrossed bill and substituting in lieu thereof the words and figures "\$5500.00".

Amend by striking out the words and figures "\$4136.00" at line 1, page 8 Section 2, of said engrossed bill and inserting in lieu thereof the words and figures "\$3536.00".

Amend by striking out the words and figures "\$9100.00" in line 24, page 3, of Section 1, and inserting in lieu thereof the words and figures "\$700.00".

Amend at line 26, page 7, Section 2, of said bill by striking out the words and figures "\$9100.00" and inserting in lieu thereof the words and figures "\$9700.00", and that, as so amended, the bill be concurred in.

Committee on Finance and Claims report that H. B. No. 30 be amended as follows:

Strike out the words and figures "\$9174.00" in lines 13 and 14 of Section 1 of the engrossed bill and insert in lieu thereof the sum of "\$6000.00".

Strike out the words and figures "\$9174.00" in lines 17 and 18 of Section 2 of the engrossed bill and insert in lieu thereof the words and figures "\$6000.00".

Amend H. B. No. 30 by striking out all of line 27, Section 2 of said bill after the word "release" and all of lines 28, 29 and 30 and put a period after the word "release" in line 27.

Add the following at the end of Section 2, of the H. B. No. 30, as amended by this Committee:

"It is further provided that as soon as the State Board of Examiners shall have allowed and approved the said claim of O. G. Willett, that then said Board of Examiners shall immediately pay over to the duly and legally appointed guardian of said O. G. Willett the sum of \$1,000.00 to be used for the immediate necessities of the said O. G. Willett and it is further provided that the remaining \$5000.00, or so much thereof as may be necessary, as hereinabove provided for, shall not be paid to the said O. G. Willett until he shall have filed with the Board of Examiners his consent in writing to be removed to the lepersorium maintained by the United States government at Carville, Louisiana, and provided further, that the said \$5000.00 shall not be paid to the said O. G. Willett until his wife shall have filed her consent in writing, waiving all claims or demands in and against the State of Montana, it being further provided that in the event the said O. G. Willett shall fail to leave the State of Montana, as hereinbefore provided for, or shall refuse to sign his written consent to leaving the State of Montana, or shall refuse to go to the lepersorium of the United States government at Carville, Louisiana, that then, and in that event, the State Board of Examiners are hereby instructed not to pay the several sums of money or any part thereof to the said O. G. Willett," and as so amended, H. B. No. 30 be concurred in.

Committee on Military Affairs report that Senate Bill No. 66 be amended as follows:

Amend Section 1, Subsection No. 3 as follows: By inserting after the word following the figure "3" and in front of the word "engaged" the following words:

"One who has the necessary education preliminary to taking the C. P. A. examination of this State and who has been".

Amend Section 1, Subsection No. 3 as follows: By inserting after the words, "who is a graduate of a school of higher accounting" the following words: "in which school he did receive his graduation certificate after

passing a satisfactory examination in the following subjects: 'Theory of Accounting,' 'Auditing,' 'Cost or Factory Accounting' and 'Commercial Law,' " and, as amended, that Senate Bill No. 66 do pass.

Committee on Military Affairs report that S. J. M. No. — by Richardson do pass.

Committee on Counties and Towns report that H. B. No. 26 do not pass.

Committee on Counties and Towns report that S. B. No. 48 do pass.

Committee on Counties and Towns report that S. B. No. 49 do pass.

A majority of Committee on Constitutional Amendments report that J. R. No. 2 be concurred in.

Committee on Finance and Claims report H. B. No. 65 without recommendation.

Committee on Finance and Claims report H. B. No. 18 without recommendation.

Reports adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 7, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills have this day been introduced, read first and second time and referred to the standing committees:

S. B. No. 67, by Wuerthner, by request: A Bill for an Act entitled: "An Act prohibiting proprietors, managers or employees of public dance halls to permit minors under the age of eighteen years to frequent such halls." Public Morals.

S. B. No. 68, by Kemmis: A Bill for an Act entitled: "An Act requiring all persons, firms, co-partnerships, corporations and associations operating any public warehouse or warehouses and holding themselves out to the public as receiving agricultural seeds for storage from the public to secure a license and furnish a bond and prescribing the powers and duties of the commissioner of agriculture." Agriculture.

S. B. No. 69, by Committee on Irrigation and Water Rights: A Bill for an Act entitled: "An Act relating to the adjudication of water rights, amending Section 7122 of the Revised Codes of 1921, and adding to Chapter 26, Part IV of the Civil code of Montana a section to be known as Section 7124a." Irrigation.

S. B. No. 70, by Spencer: A Bill for an Act entitled: "An Act relating to the licensing of motor vehicle operators and chauffeurs, and for the liability of certain persons for negligence in the operation of motor vehicles on the public highways, and to make uniform the law relating thereto." Roads and Highways.

S. B. No. 71, by Sibbert: A Bill for an Act entitled: "An Act to amend Section 3382, Revised Codes of Montana, 1921, as regards trespassing stock and providing that only nominal damages may be collected for a trespass unless notice is given within six months after alleged trespass demanding a sum certain in damages therefor." Stockgrowing and Grazing.

S. B. No. 72, by Survant: A Bill for an Act entitled: "An Act to amend Section 2153 of the Revised Codes of Montana of 1921 relating to taxes on personal property; as amended by Chapter 18, Acts of the Nineteenth Legislative Assembly of the State of Montana." Taxation.

S. B. No. 73, by Walker: A Bill for an Act entitled: "An Act to amend Section 2215 of the Revised Codes of Montana of 1921, defining the title conveyed by a tax deed." Judiciary.

Respectfully,

J. F. CONE, Secretary of Senate."

The following communication was received from the Governor:

Helena, Montana, February 7, 1927.

he Speaker, House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 28—Relating to primary elections.

H. B. No. 34—Appropriation to pay compensation claim of Harry M. Courter.

H. B. No. 37—Appropriation for operation of certain of the State departments for biennium beginning July 1, 1927.

H. B. No. 39—Relating to filing of notices of liens for taxes payable to the United States of America.

H. B. No. 54—Designating the map issued by the Board of Railroad Commissioners of the State of Montana as the official map of Montana.

J. E. ERICKSON, Governor."

THIRD READING OF HOUSE BILLS

House Bill No. 103, introduced by Throssel, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Ballard, Benjamin, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Dellwo, Doran, Dougherty, Dunn, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hodgskiss, Holton, Jameson, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Moss, Moulton, Mulholland, Murphy, Nagle, Nicholson, O'Day, Plank, Reed, Throssel, Troy, Westlake, White, Willard, Mr. Speaker. Total—65.

Noes: Abrahamson, Benson, Budas, Erickson, Foot, Harris, Jensen, Jones (Phillips), Knowles, Lamb, Larson, Miller (Lincoln), Nelson, Nelstead, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Tierney, Tinsley, Waite, Warren, Woodcock. Total—33.

Absent and not voting: Donaldson, Fulsher, Hagerty, Harcastle. Total—4.

House Bill No. 143, introduced by Committee on Livestock and Public Ranges, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Harcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlein, Rorvik, Ryder, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—97.

Noes: None.

Absent and not voting: Doran, Fulsher, Hagerty, Moss, Shields. Total—5.

House Bill No. 152, introduced by Burns, having been read three several times, title and history agreed, was rejected by the following vote:

Ayes: Adair, Akofer, Arnold, Ballard, Benjamin, Barry, Bonine, Bricker, Burns, Cavanaugh, Chatham, Darlinton, Dellwo, Donaldson, Doran, Dunn, Foot, Gustafson, Harris, Hodgskiss, Jameson, Johnson, Jones (Phillips), Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, Mason, Merritt,

Moss, Nagle, Nelstead, Reed, Rognlien, Shields, Sparling, Stambaugh, Sutton, Thorburn, Throssel, Tierney, White. Total—44.

Noes: Abrahamson, Benson, Besancon, Bretzke, Brown, Budas, Bue, Cheadle, Clausen, Cooney, Curran, Dougherty, Erickson, Flachsenr, Goodwin, Green (Fergus), Green (Dawson), Hardcastle, Holton, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Larson, Lov, McCleary, McLeod, Marshall, Miller (Fergus), Miller (Lincoln), Moul, Mulholland, Murphy, Nelson, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rorvik, Ryder, Sample, Steeves, Tinsley, Troy, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—55.

Absent and not voting: Clarke, Fulsher, Hagerty. Total—3.

House Bill No. 154, introduced by White, Leavens and Jones of Cascade, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Bur, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlint, Dello, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenr, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Har, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Leave, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merr, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murp, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, R, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—98.

Noes: Larson, Sparling. Total—2.

Absent and not voting: Fulsher, Hagerty. Total—2.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now solve itself into Committee of the Whole for consideration of General Orders under the rule that proponents and opponents of bills be allowed five minutes and others three minutes for discussion of the main bill; and that amendments, proponents and opponents be allowed three minutes and others two minutes, with no trading of time; that members be allowed to talk only once on the bill and amendments, except proponents and opponents; that the bills be read by history, title and section numbers only, except on request to have certain sections read at length.

Mr. Jones in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 124, 160, 161, 162, 163, and 164, respectfully report as follows:

That consideration of House Bill No. 124 be passed for the day.

That H. B. No. 160, be amended as follows:

Section 1: In line 20, under Subdivision 4, after the figures "1921" and before the word "such", by inserting: "And for the operation of the Livestock Sanitary Board."

Section 2: In line 20, under Subdivision 4, after the figures "1921" and before the word "such"; by inserting "And for the operation of the Livestock Sanitary Board."

And by adding Subdivision 5 as follows: (5) For the payment of emergencies arising out of the operation of the Livestock Sanitary Board, to be paid from the Livestock Sanitary Board Emergency Fund, when such

emergency is declared to exist by the Board of Examiners, as much as may be required."

And that as so amended said House Bill No. 160 do pass.

That House Bill No. 161 be amended as follows:

Section 1: By striking out in line 32 of Subsection 1, the words and figures "Forty-six Thousand Five Hundred Seventy Dollars (\$46,570.00)" and by striking out in line 38 of Subsection 1, the words and figures "Eighteen Thousand Seventy Dollars (\$18,070.00)," and by striking out in lines 41 and 42 of Subsection 3, the words and figures "Ten Thousand Six Hundred Thirty Dollars (\$10,630.00)" and inserting in lieu thereof the words and figures, in line 32 of Subsection 1, "Fifty-four Thousand Five Hundred Twenty Dollars, (\$54,570.00)" and inserting in line 38 of Subsection 1, the words and figures "Twenty-six Thousand Seventy Dollars (\$26,070.00)"; and inserting in lines 41 and 42 of Subsection 3, the words and figures "Two thousand Six Hundred Thirty Dollars (\$2,630.00)".

By striking out in line 83 of Subsection 3, the words and figures, "Twenty-four Hundred Forty Dollars (\$2,440.00)" and inserting in lieu thereof the words and figures "Five Thousand Four Hundred Forty Dollars (\$5,440.00)".

Section 2: By striking out in line 32 of Subsection 1 the words and figures "Forty-six Thousand Five Hundred Seventy Dollars (\$46,570.00)" and by striking out in line 38 of Subsection 1 the words and figures, "Eighteen Thousand Seventy Dollars (\$18,070.00)" and by striking out in lines 41 and 42 of Subsection 3 the words and figures "Ten Thousand Six Hundred Thirty Dollars (\$10,630.00)" and inserting in lieu thereof the words and figures in line 32 of Subsection 1, "Fifty-four Thousand Five Hundred Seventy Dollars (\$54,570.00)" and inserting in line 38 of Subsection 1 the words and figures "Twenty-six Thousand Seventy Dollars (\$26,070.00)"; and inserting in lines 41 and 42 of Subsection 3 the words and figures "Two thousand Six Hundred Thirty Dollars (\$2630.00)". By striking out lines 7, 78, 79, 80, 81 of Subsection 2 and for line 82 to read as follows: (2) For capital, repairs and replacements, "Seven Hundred Fifty Dollars (\$750.00)"; also by striking out in line 83 of Subsection 3, the words and figures "Twenty-four Hundred Forty Dollars, (\$2440.00)" and inserting in lieu thereof the words and figures "Fifty-four Hundred Forty Dollars (\$5440.00)", and that as so amended said House Bill No. 161 do pass.

That House Bill No. 162 be amended as follows:

Section 1: By adding after line 39 of the printed bill on page 2 the following words: "In addition to the amounts above specified there is hereby appropriated out of the General Fund for the use of said State Board of Health an amount equal to the fees and earnings of said Department." By striking out in line 51 of the printed bill, the words and figures "Five Hundred Dollars (\$500.00)" and inserting in lieu thereof the words and figures "Two Thousand Two Hundred and Fifty Dollars (\$2250.00)".

Section 2: By adding after line 39 of the printed bill, on page 3, the following words: "In addition to the amounts above specified there is hereby appropriated out of the General Fund for the use of said State Board of Health an amount equal to the fees and earnings of said department." By striking out in line 51 of the printed bill the words and figures "Five Hundred Dollars (\$500.00)" and inserting in lieu thereof the words and figures "Two Thousand Two Hundred and Fifty Dollars, (\$2250.00)", and that as so amended said House Bill No. 162 do pass.

That consideration of House Bill No. 163 be passed for the day.

That House Bill No. 164 do pass.

JONES, Chairman."

On motion of Jones, report adopted.

Moved by Bricker, duly seconded and carried, that House recess until 1:45 P. M.

AFTERNOON SESSION

House resumed at 1:45 P. M.

Mr. Speaker in the chair.

At the request of Nelstead, there being no objections, House reverted Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were this day received:

"Mr. Speaker: We, your committee on Workmen's Compensation, having had under consideration House Bill No. 75, introduced by Moss and Besancon, respectfully report as follows: That House Bill No. 75 do not pass.

NELSTEAD, Chairman."

On motion of Nelstead, report adopted.

"Mr. Speaker: We, your Committee on Conservation of Resources, having had under consideration House Bill No. 207, introduced by Committee on Conservation of Natural Resources, respectfully report as follows: That House Bill No. 207 do pass.

BRETZKE, Chairman."

On motion of Bretzke, report adopted.

"Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 134, introduced by Adair, respectfully report as follows: That House Bill No. 134 do not pass.

WAITE, Chairman."

On motion of Waite, report adopted.

"Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 196, introduced by the Committee on Banks and Banking, respectfully report as follows: That House Bill No. 196 do pass.

WAITE, Chairman."

On motion of Waite, report adopted.

There being no objections, House reverted to Order of Business No. 2.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Merritt and Hodgkiss: A Bill for an Act entitled: "An Act to amend Section 1024 Revised Codes of 1921 relating to the manner of creating new school districts; providing the number of census children and the assessed valuation of the district and the number of census children and the assessed valuation of property remaining in the old district and repealing Section 1025 Revised Codes of 1921."

By Burns: A Bill for an Act entitled: "An Act to amend Section 9469 of the Revised Codes of Montana of 1921, relative to the foreclosure of mortgages where payments of the debt secured fall due at different times."

By Barry and Ballard: A Bill for an Act entitled: "An Act to amend Section 1753 of the Revised Codes of Montana of 1921, relative to the operation of vehicles on highways and providing for certain accessories including brakes, signalling devices, lamps, lights, and lighting equipment and repealing all Acts and parts of Acts in conflict herewith."

By Hodgkiss: A Bill for an Act entitled: "An Act defining a habitual criminal and providing the penalty to be imposed upon a person found to be a habitual criminal as defined in this Act."

By Tinsley: A Bill for an Act entitled: "An Act to amend Section 4814 of the Revised Codes of Montana of 1921 as amended by Chapter 2 of the Laws of the Nineteenth Legislative Assembly, relating to the annual reports of County Clerks."

At the request of Bricker, there being no objections, House reverted to order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The following report of Select Committee was received and read:

Helena, Montana, February 8, 1927.

"Mr. Speaker: We, your committee appointed to investigate purchase of the Frank Conley property at Deer Lodge, the manufacturing of license plates and other industries which may be beneficial to the State of Montana and give employment to the inmates of the State Prison at Deer Lodge, Montana, respectfully find and submit as follows:

1. With respect to the purchase of the Frank Conley property. On Friday, the fourth day of February, 1927, your complete committee went to Deer Lodge and personally investigated the premises offered by Mr. Conley, and made careful investigation and inquired into all matters relating thereto.

The land upon which Mr. Conley's premises are located consist of six lots, 30x130 feet, all contiguous and located directly across the street from the prison grounds and near the main entrance thereto.

There are three separate buildings upon said premises, to-wit: a dwelling house, a garage, and a laundry building. The dwelling house is a nine room, frame building of the bungalow type with large cement basement and is modern in every respect and heated with a hot water heating system. This building was constructed approximately fifteen years ago. The finish inside is all hardwood; the building is in excellent repair, both interior and exterior and will not require any expenditure at this time in repairs of any kind. The heating and plumbing apparatus is also in good repair. There are large porches on two sides of the house, with brick piers and the floors of the porches are hardwood. It is an attractive and fine dwelling house. The front of the house faces to the prison grounds.

To the rear of the house is a two story double brick garage, 26x36 feet. There is a part basement under this garage building which contains the boiler for the heating plant of the house and sufficient storage room for fuel. The garage building is also heated by this plant. In the second story of the garage building are located two bedrooms, a bathroom and a shower bath. This building also is in excellent condition and will require no expenditure at this time in the repair thereof.

To the south of the garage building and along the back portion of said lots there is a two story laundry building, 30x43 feet, constructed of brick. There is no basement to this building. On the lower floor of this building there is a complete laundry equipment including equipment for heating water. There is also a store room on this lower floor and the upper floor is used for storage purposes and consists of three rooms.

The three buildings are equipped for electric lighting and plumbing and each of the buildings are connected to the sewerage system, and likewise for running water. This building is also in excellent condition and requires no repair at this time.

There are cement walks along the front of this property and likewise cement paths leading to and from the different buildings.

All assessments and special taxes levied against said property for sidewalks, heating, lighting and other public improvements have been paid. There is a lattice fence to the rear of the dwelling house, with trees and shrubbery giving the premises an attractive appearance. The lawns are also in excellent condition. There appears to be no expenditure necessary to place the premises in condition to be occupied by the warden at this time. We accompany this report with three photographs of the house and a blue print showing the floor plan of the house and a plat showing the location of the premises and the location of State Prison grounds and also a copy of a statement signed by Frank Conley, the owner of said property.

Your committee, after a careful consideration of the premises, considering the condition of same, and the time when built, its accessibility and adaptability as a residence for the warden of the State Prison, we recommend that the state purchase the property for a consideration of \$15,000.00.

2. With reference to the manufacturing of license plates your committee finds that there are quarters now available where such a plant may be located without further expenditure in the erection of new buildings. This building is located within the prison grounds, is 36x60 feet and three stories high, and of brick construction. The first floor can be used for the purpose of manufacturing license plates. It has a cement floor and is capable of holding all the machinery necessary, is also well lighted and heated. From our investigation, it would appear that the cost to place the plant in working condition would be \$25,000.00. Comparatively speaking, the number of license plates that will be sold next year, will save the state approximately four thousand dollars, and an approximate amount each year thereafter. All the labor necessary for the operation of the plant is available from the inmates and it would not be necessary to employ any skilled labor other than what is found in the institution.

Your committee recommends the establishment of this factory for the manufacturing of license plates.

3. With reference to other industries. Your committee also investigated the matter of establishing other industries at the State Prison. It appears that certain clothing is now being manufactured at the penitentiary and the committee investigated the matter of this industry and estimated the expense. Several other states, particularly the state of Wyoming, now manufacture clothing for the inmates of their state penitentiary. With the provision that the surplus stocks may be sold to the state institutions in other states.

From our investigation we find that the third floor of the building heretofore referred to, as suitable for, and as capable of housing the necessary machinery for the manufacture of clothing and other wearing apparel for the inmates of our state institution, and that it would not be necessary to expend money for buildings for this purpose. There is an ample supply of labor from the inmates of the state prison and it would not be necessary to employ skilled labor other than what is now employed. The approximate cost of installing the machinery which would be necessary is the sum of \$10,000.00, and it would be necessary to have an additional five thousand for the purpose of purchasing stock and supplies until such time as receipts become available. It appears that the State could manufacture such clothing and wearing apparel at a cost which would be some 30% to 40% lower than it is able to purchase it now at wholesale prices.

We thing that the saving to the State in one year through the operation of this plant will be sufficient to pay for the entire cost of the machinery.

Your committee estimates that at the present time there are approximately two hundred prisoners at the penitentiary without employment, and find that it is to the best interest of the State and of the inmates of the State Prison that they be employed at some useful occupation. We recommend the establishment of this plant.

JOHNSON.
BRICKER.
TINSLEY."

On motion of Johnson, report adopted.

At the request of Reed, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Reed, duly seconded and carried, that House Bill No. 163 be taken from General Orders and re-referred to Judiciary Committee.

At the request of Moss, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports were received from standing committees:

"Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration proposed amendments to Joint Rule No. 11, recommend that said rule be amended to read as follows:

"No. 11. Enrollment of Bills. When a bill has passed both houses, the Enrolling Clerk of the House in which it originated shall cause to be made an original and two duplicate typewritten copies of the bill as the same was engrossed, together with its history, free from all corrections, erasures, interlineations, defects in orthography and all other clerical inaccuracies; the typewriting shall be done with a black record ribbon, pica type, upon a plain linen finished paper, size 8½ inches wide and 13 inches long; paper to weight 16 pounds to the ream, with a margin of two inches at the top and one inch on each side, thirty lines of type to the page, but lines not numbered, and the bill shall be covered with blue manuscript cover, upon which is written in capital letters the number and title. One duplicate shall accompany the original through both Houses, and to the Governor, who shall, if approved, sign the original and one duplicate. The original bill will be filed with the Secretary of State and the duplicate with the Clerk of the Supreme Court. The second duplicate shall be retained by the Chairman of the Enrolling Committee until the conclusion of the Session when it shall be filed with the Secretary of State."

We recommend that a copy of this rule be transmitted to the Rules, Joint Rules and Order of Business Committee of the Senate for concurrence.
MOSS, Chairman."

On motion of Moss, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 176, introduced by Miller of Fergus, respectfully report as follows: That House Bill No. 176 do not pass.
TROY, Chairman."

On motion of Troy, report adopted.

SPECIAL ORDER CONSIDERATION OF GENERAL ORDERS

With respect to House Bill No. 50.

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole, for consideration of Special Order of Business, set for this date, under the same rule as previous sitting.

Mr. Nelson in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 50, respectfully report as follows:

That House Bill No. 50 be amended as follows:

Section 4: By adding in line 50, after the word "securities", of printed bill, the following: "and sell gold and silver bullion, foreign coins, bills of exchange, and foreign and domestic exchange."

Section 10: By striking out in line 3, page 8 of the printed bill, the words "twenty-five" and inserting in lieu thereof the word "eleven."

Section 19: By striking out in line 4, page 12 of the printed bill, the words "twenty-five", and inserting in lieu thereof the word "eleven".

Section 21: By striking out in line 25 of printed bill, the words "state or federal" and inserting in line 24 following the word "any" and preceding the word "court", the words "state or federal"; by striking out in line 40 the word "expended" and inserting in lieu thereof the words "or attorneys fees and other expenses incurred"; and by adding in line 45,

after the word "trial", the following, "For the purpose of this section the term 'liquidating officer' shall be held to include every person legally empowered to liquidate the business and affairs of a state bank whether the same be by Superintendent of Banks, his deputies and agents and also a receivers of State Banks now or hereafter qualified to liquidate a State Bank under any law of Montana."

Section 28: By striking out in line 1 the word "National" and inserting in lieu thereof the word "Federal", and by adding after the word "Reserve" the word "Bank"; and by striking out in lines 2 and 3 the words "National Reserve Association of the United States", and inserting in lieu thereof the words "Federal Reserve Banks"; and by striking out in line 5 the word "association" and inserting in lieu thereof the word "banks", and by striking out in line 6 the words "association, or any branch thereof", and inserting in lieu thereof the word "bank"; and by striking out in line 8 the words "association or branch", and inserting in lieu thereof the word "bank"; and by striking out in line 10 the word "association or branch thereof" and inserting in lieu thereof the word "Federal Reserve Bank."

Section 34: By adding the letter "s" to the word "Payment", in line 18 of printed bill.

Section 56: By striking out in line 5, of printed bill, the words "no to exceed".

Section 60: By striking out in lines 5 and 6, on page 27 of printed bill, all words after the word "attend", in line 5, and to and including the last "of" in line 6.

Section 63: By changing the figures "62" to "61" in lines 3 and 4 of printed bill.

Section 64: By changing the figures "62 to "61" in line 2, of printed bill.

Section 65: By striking out in line 9 of printed bill, the word "public" and inserting in lieu thereof the word "prosecuting".

Section 72: By striking out in line 6 of printed bill, the word "shall" and inserting in lieu thereof the word "may".

Section 73: By striking out in line 4 of printed bill, the words "for use and benefit of the General Fund."

Section 80: By striking out in line 3 of printed bill, the word "ninety" and inserting in lieu thereof the word "thirty", and by striking out in line 3 the words "return to" and inserting in lieu thereof the words "receipt by".

Section 81: By striking out in line 3 of printed bill, the word "from" and inserting in lieu thereof the word "after".

Section 89: By striking out in line 2, of printed bill, the word "or", immediately following the word "receiving", and inserting in lieu thereof the word "for". By inserting after the word "agent", in line 6 of printed bill, page 38, the words "using due diligence."

Section 105: By inserting in line 7 after the word "amount", the words "and surety"; and by inserting in line 8 after the word "dishonesty", the words "or malfeasance in office."

Section 109: By adding in line 2 of printed bill, immediately following the word "Superintendent", the words "after examination."

Section 122: By adding to the section after the word "court" in line 5 of printed bill, the words "and shall forfeit his office."

Section 128: By adding to the section in line 33 of printed bill the sentence "Provided, however, that during the pendency of such litigation the Superintendent of Banks shall take such action in relation to the assets of said bank as is necessary to conserve them."

Section 129: By striking out in line 20 of printed bill the words and figures "Three Thousand Dollars (\$3,000.00)", and inserting in lieu thereof the words and figures "Three Thousand Six Hundred Dollars (\$3,600.00)".

Section 137: By inserting in line 9 of printed bill following the word "ot", the word "been".

Section 139: By adding after the figures 6109e in line 3 of printed bill, page 55, the words and figures "Chapter 90".

Section 140: By striking out in line 1 the word "Banking" and inserting in lieu thereof the word "Banks."

Section 144: By striking out in line 2 of printed bill, the figures "92" and inserting in lieu thereof the figures "93", and by adding after the word "provided" in line 8 the following sentence "and such parts of Section 636 of the Revised Codes of Montana, 1921, as amended by Chapter 9 of the Laws of 1923 or as may be hereafter amended having to do with liability of stockholders of those banks now being liquidated through a court and the paying and collection of such liability as is therein provided, shall be continued in full force and effect until such bank or banks shall have been fully liquidated."

And that as so amended, said House Bill No. 50 do pass.

NELSON, Chairman."

On motion of Nelson, report adopted.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under same rules as previous sitting.

Mr. Nelson in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 165, 166, 151, 157, 171, 89 and House Joint Resolution No. 4, respectfully report as follows: That House Bill No. 165 do pass.

That House Bill No. 166 be amended as follows:

Section 1: By adding at the end of the section "Provided, however, that before said money shall be paid to said William Goede, that the said Industrial Accident Board shall investigate and determine the validity of said claim, and if said Board shall find that said claim of the said William Goede would have been a just and valid claim in the sum of Fifteen Hundred Dollars (\$1500.00) or any less amount, had the same been presented at the time, then, the said Board is hereby authorized and empowered to pay the amount as said Board shall allow, not to exceed Fifteen Hundred Dollars (\$1500.00)." And that as so amended, said bill do pass.

That House Bill No. 151 do pass.

That consideration of House Bill No. 157 be passed for the day.

That House Bill No. 171 do pass.

That House Bill No. 89 do pass.

That House Joint Resolution No. 4 do pass.

NELSON, Chairman."

On motion of Nelson, report adopted.

Moved by Bricker, duly seconded and carried that the House adjourn at 10:00 A. M., Wednesday, February 9th.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

THIRTY-EIGHTH DAY

House of Representatives,
Helena, Montana, February 9, 1927.

House convened, pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all members present, except: Fulsher, excused on account of illness; Hagerty, excused; Dunn, absent.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirty-seventh legislative day, find the same to be correct."

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

NOTICES

Moved by Bricker, duly seconded and carried, that House Rule No. 2 be suspended for the remainder of the Session.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 183, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 183 be amended by striking out all of Section 1.

That the caption "Section 2" be amended by striking out the figure "2" and inserting in lieu thereof the figure "1".

That the caption "Section 3" be amended by striking out the figure "3" and inserting in lieu thereof the figure "2".

Recommends that the bill do pass as amended.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 146, introduced by Moss, Rockwood Foot and Rognlien, respectfully report as follows: That House Bill No. 146 be amended as follows: Amend Section 2, in line 1, by striking out the figures "\$16,410.00", after the word "of" and before the word "or" and inserting in lieu thereof the figures "\$6,545.00". Also amending line 5 of Section 2, by striking out the figures "\$16,410.00", after the word "that" and before the word "provided" and inserting in lieu thereof the figure "\$6,545.00".

Recommends that House Bill No. 146 do pass as amended.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 12, introduced by Marshall, respectfully report as follows: That House Bill No. 12, introduced by Marshall, do not pass, but that Substitute House Bill No. 12, introduced by Committee on Revenue and Taxation, "A Bill for an Act relating to school district bonds; granting Boards of Trustees of school districts of the first class the power to issue, negotiate and sell or exchange bonds for certain purposes under certain limitations and restrictions; providing the manner of holding bond elections and prescribing the qualifications of electors; prescribing the procedure governing the issuing, sale, or exchange of such bonds; providing for payment of the principal and interest on such bonds; prescribing the duties of boards of school trustees, boards of County Commissioners, and County Treasurers in connection with the levying and collection of taxes for the payment of principal and interest on such bonds; and repealing Sections 1032, 1230, 1232, and Sections 1244 to 1251

clusive, of the Revised Codes of Montana of 1921; repealing Sections 1224, 1225, 1226, 1228 and 1229 of the Revised Codes of 1921, as amended by Chapter 153 of the Laws of the Eighteenth Legislative Assembly; repealing the said Chapter 153, and all other Acts and parts of Acts in conflict with the provisions of this Act," do pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 174, introduced by Cheadle, respectfully report as follows: That House Bill No. 174 do not pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 145, introduced by Bricker, respectfully report as follows: That House Bill No. 145 be amended as follows: by striking out Section 1 thereof and inserting in lieu the following:

"Section 1: That Section 2114 of the Revised Codes of Montana of 1921, be and the same is hereby amended to read as follows:

Section 2114. The Board has power, after giving notice in such manner as it may by rule prescribe, to increase or lower any assessment contained in the assessment book, so as to equalize the assessment of the property contained therein, and make the assessment conform to the true value of such property in money, and immediately after reaching a decision the Board shall notify the taxpayer, in writing, of such decision, specifying the change, if any, made in the assessment; said notice to be given by registered mail, addressed to the taxpayer at his last known place of residence."

Also amend by striking out Section 3, and as so amended the same do pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 144, introduced by White, Tachsenhar and Besancon, respectfully report as follows: That House Bill No. 144 do not pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 188, introduced by Jones of Cascade, respectfully report as follows: That House Bill No. 188 do pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on State Lands, having had under consideration, House Bill No. 150, introduced by Marshall, Dellwo, Stambaugh and Holton, respectfully report as follows: That House Bill No. 150 be amended as follows:

On line five (5) of section two (2) after the word "responsible" insert the words "to the extent hereinafter set forth."

On line seventeen (17) of Section two (2) strike out the word "five" and insert in lieu thereof the word "thirty (30)".

On line two (2) of Section six (6) strike out the word "hereinafter" and insert in lieu thereof the word "hereafter."

On line two (2) of Section (7) strike out the word "hereinafter" and insert in lieu thereof the words "hereafter created."

On line eighteen (18) of Section seven (7) strike out the word "ten" and insert in lieu thereof the word "thirty."

And as so amended, House Bill No. 150 do pass.

HOLTON, Chairman."

On motion of Holton, report adopted.

ice cream and the labelling of containers and providing penalties for the violation of this Act." Referred to Committee on Dairying.

House Bill No. 213, introduced by Committee on Dairying: A Bill for an Act entitled: "An Act defining farm dairies, milk distribution and milk plants. Providing for the sanitary inspection and licensing of dairies and of various plants handling or manufacturing dairy products and regulating the disposal of license fees; authorizing the Department of Agriculture, Labor and Industry to regulate the operation of the same and providing penalties for violation of the provisions of this Act, and repealing Section 3282, R. C. M., 1921, as amended by Section 11 of Chapter 35 of the Session Acts of the Eighteenth Legislative Assembly of Montana of 1923, and all Acts and parts of Acts in conflict herewith." Referred to Committee on Dairying.

House Bill No. 214, introduced by Holton, Cavanaugh and Foot: A Bill for an Act entitled: "An Act to amend Section 105, of Chapter 6 of the Montana Revised Codes of 1921, relating to the printing, binding and delivery of referendum and initiative measures." Referred to Committee on Constitutional Amendments.

House Bill No. 215, introduced by Committee on Irrigation: A Bill for an Act entitled: "An Act to amend Section 7210 of the Revised Codes of Montana, 1921, as amended by Section 7 of Chapter 157, Laws of the Eighteenth Legislative Assembly, State of Montana, 1923, and to amend Section 7211 of the Revised Codes of Montana, 1921, as amended by Section 1 of Chapter 161, Laws of the Eighteenth Legislative Assembly, State of Montana, 1923, and repealing Section 7216, Revised Codes of Montana, 1921, as amended by Section 2 of Chapter 161, Laws of the Eighteenth Legislative Assembly, Section 7217; Section 7218 as amended by Section 10, Chapter 161, Laws of the Eighteenth Legislative Assembly, Section 7219, Section 7220, as amended by Section 11, Chapter 157, Laws of the Eighteenth Legislative Assembly, Sections 7221, 7222, 7223, Section 7224 as amended by Section 12 of Chapter 157, Laws of the Eighteenth Legislative Assembly and Section 7225 of the Revised Codes of Montana, 1921, relating to petition for bonds of irrigation districts, action thereon, and confirmation of bond proceedings of irrigation districts, and to the creation of the Irrigation District Bond Commission, prescribing its powers and duties, examination of irrigation districts and irrigation district bonds by said commission, certification of said bonds by Secretary of State, and making said bonds a legal investment for trust funds, etc." Referred to Committee on Irrigation and Water Rights.

House Bill No. 216, introduced by Gustafson: A Bill for an Act entitled: "An Act to amend Section 3338 of the Revised Codes of the State of Montana of 1921, relative to publication of description of estray livestock sold; providing for the disposition of the proceeds remaining in the State Treasury and changing the time of publication of description from four weeks to two weeks." Referred to Livestock and Public Ranges Committee.

House Bill No. 217, introduced by Hodgskiss: A Bill for an Act entitled: "An Act defining a habitual criminal and providing the penalty to be imposed upon a person found to be a habitual criminal as defined in this Act." Referred to Judiciary Committee.

House Bill No. 218, introduced by Flachsenhar, Logan and Besancon: A Bill for an Act entitled: "An Act relating to contracts for the construction of buildings or the alteration, repair and improvement of buildings and grounds on behalf of and for the benefit of the State, advertising for bids, awarding contracts and prohibiting the cost plus system or principle." Referred to Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 219, introduced by Merritt and Hodgskiss: A Bill for an Act entitled: "An Act to amend Section 1024, Revised Codes of 1921, relating to the manner of creating new school districts; providing the number of census children and the assessed valuation of property remaining

in the old district and repealing Section 1025 Revised Codes of 1921." Referred to Committee on Education.

House Bill No. 221, introduced by Committee on Revenue and Taxation. A Bill for an Act entitled: "An Act providing for the assessment and taxation of royalty and royalty interest in the mineral product of a quartz vein or lode or placer mining claim or any mine whatsoever containing gold, silver, copper, lead, petroleum or other valuable mineral minerals deposit." Referred to Committee on Revenue and Taxation.

House Bill No. 222, introduced by Committee on Revenue and Taxation. A Bill for an Act entitled: "An Act to amend Sections 2089 and 2090 of the Revised Codes of Montana of 1921, relating to the statement of gross yield of mines and net proceeds—how computed; as amended by Chapter 191 Acts of the Nineteenth Legislative Assembly of the State of Montana." Referred to Committee on Revenue and Taxation.

House Bill No. 224, introduced by Committee on Revenue and Taxation. A Bill for an Act entitled: "An Act to amend Section 2067 of the Revised Codes of Montana of 1921, relating to the assessment and taxation of State Banks, Banking Corporations and private bankers and of shares of stock in such State banks or banking corporations and providing for the furnishing of certain information to county officials by bank officials." Referred to Committee on Revenue and Taxation.

House Bill No. 225, introduced by Johnson, Nelstead, Miller of Ferguson and Bricker: A Bill for an Act entitled: "An Act to invest the Board of Railroad Commissioners of Montana with authority, under enumerated conditions, to order the installation and construction of commercial or industrial spur tracks for public use, upon petition of interested localities or shippers, and after full hearing thereon, and providing penalties for violation of the provisions of this Act, or any lawful order hereunder, and repealing Section 3833, Revised Codes of Montana, 1921." Referred to Committee on Railroads and Transportation.

House Bill No. 226, introduced by Shields: A Bill for an Act entitled: "An Act defining the qualifications of police officers in the cities and towns in the State of Montana, providing for the creation of police reserve specifying salary limits thereof, and specifying the limits of tax levied therefor." Referred to Committee on Affairs of Cities.

Senate Bill No. 25, introduced by Pauline by request: "An Act to amend Section 5039 of the Revised Codes of Montana of 1921, as amended by Chapter 115 of the Session Laws of the Nineteenth Legislative Assembly relating to powers of City Councils by adding thereto a new subsection to be known as "Subsection 84", giving the city or town council power to acquire lands by purchase, gift or condemnation, either within or without the corporate limits of the municipality, for landing fields for aircraft and conferring municipal jurisdiction over the same." Referred to Affairs of Cities Committee.

Senate Bill No. 37, introduced by Corrington and Schnitzler: "An Act to authorize the State Treasurer of the State of Montana to discontinue the carrying of the State Treasurer Vault Fund and to authorize the State Treasurer of the State of Montana to transfer all moneys from said fund to the Capitol Building and Interest and Sinking Fund." Referred to Committee on Revenue and Taxation.

Senate Joint Resolution No. 4, introduced by Committee on Agriculture: "A resolution expressing the desire of the people of the State of Montana to his Excellency the President of the United States of America and to the Congress of the United States that they take into consideration the necessity on the part of the agricultural interests of the State of Montana for legislation to relieve the present depression which exists in the industry and setting forth the causes and some suggestions for a solution." Referred to Agriculture Committee.

The following bills were introduced, read first time by title, second time at length, and referred to standing committee:

House Bill No. 220, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the purpose of insuring securities held by the State Treasurer." Referred to Committee on Appropriations.

House Bill No. 223, introduced by Donaldson: A Bill for an Act entitled: "A supplementary appropriation act appropriating money to pay delinquent special improvement district assessment in Special Improvement District Number 3 of the town of Geraldine, Montana, upon school lands owned by the State and located in said improvement district." Referred to Committee on Appropriations.

House Joint Resolution No. 5, introduced by Burns, Bretzke, Ryder and Cheadle: A resolution relating to the funds in the hands of the Secretary of War of the United States, belonging to the National Guard of the State of Montana." Referred to Committee on Military Affairs.

House Joint Resolution No. 6, introduced by Holton, Ryder, Merritt, Ineson, Foot and Waite: A resolution requesting the State Board of Examiners to file a written report of its recommendation and plan of repayment to the Income and Investment Fund moneys wrongfully used therefrom as acknowledged by Senate Joint Resolution No. 8, Session Laws of 1915, page 472." Referred to Committee on Education.

MOTIONS AND RESOLUTIONS

Moved by Larson, duly seconded, that the House reconsider its action on House Bill No. 75 and demanded roll call.

Moved by Murphy, as a substitute motion, duly seconded, that the motion be laid on the table.

Question arising on substitute motion, same carried by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benson, Barry, Bretzke, Bricker, Brown, Budas, Burke, Chatham, Cheadle, Clausen, Conney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Hardcastle, Harris, Holton, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Knight, Kroman, Lamb, Leavens, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Sagle, Nelson, Nelstead, Nicholson, O'Day, Reed, Rife, Rockwood, Roggen, Ryder, Sample, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tinsley, Waite, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—72.

Noes: Benjamin, Besancon, Bohine, Burns, Cavanaugh, Clarke, Gussafson, Hodgskiss, Jones (Cascade), Larson, Leavitt, Lowry, Merritt, Moss, Mulholland, Plumer, Prescott, Rorvik, Sparling, Troy. Total—20.

Absent and not voting: Dunn, Fulsher, Hagerty, Jameson, Kelly, Knowles, Plank, Shields, Tierney, Willard. Total—10.

Moved by White, duly seconded and carried, that at 2:00 P. M. on Thursday February 12, the time of this House be devoted to a program commemorating the birthday of Abraham Lincoln, and that His Excellency the Governor, state officers, and the Honorable Senate be invited to be present at such program.

Moved by Nelstead, duly seconded, that House Bill No. 107 be taken from Printing Committee and re-referred to Committee on Conservation Resources. Motion lost.

Moved by Nelson, duly seconded, that House Bill No. 157 be taken from General Orders and made a special order of business for 2 o'clock Thursday, February 10. Motion carried.

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 126 and House Bill No. 196 be recalled from the Printing Committee and re-referred to Committee on Banks and Banking.

The Speaker gave notice that he was about to sign Senate Bills Nos. 23 and 22 and thereupon signed said bills.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Governor's office:

Helena, Montana, February 9, 1927.

The Speaker, House of Representatives,
Helena, Montana.

I have the honor to transmit herewith a record of the proceedings of the conference of representative citizens and taxpayers of the State of Montana held at Helena on the fifth day of February, 1927, at the request of the Assembly, for the purpose of considering educational problems confronting the State of Montana and making to the Assembly specific recommendations looking toward the solution of these problems.

J. E. ERICKSON, Governor."

MINUTES OF PROCEEDINGS OF GOVERNOR'S CONFERENCE ON
EDUCATION

Helena, Montana, February 5, 1927.

The conference was called to order by Governor J. E. Erickson. In brief address the Governor explained the purpose for which the gathering had been called and presented the problems in education to which the attention of the conference should be directed.

A. A. Franzke was made the secretary of the meeting, and the following responded to the roll call:

J. R. Hobbins, Dr. A. A. Baker, Dr. A. H. Garberson, F. H. Manso, E. C. Leipheimer, C. H. Williams, Mrs. I. E. O. Pace, Mrs. C. D. Wiggernhorn, C. J. McNamara, W. M. Johnson, James Harbert, James J. O'Shea, W. L. Stockton, Fred L. Gibson, Horman B. Holter, M. S. Gunn, H. Mitchell, I. Parker Veazey, C. H. McLeod, Harry C. Keith, A. N. Whitlock, Mark D. Hoyt, Henry Lowe, Charles B. Power, A. S. Lohman, C. E. Collier, Mrs. J. W. Walker, Frank S. Bossuot, C. H. Jennings, W. M. Wayman, O. S. Warden, Mrs. O. M. Souders, C. C. Conser, Geo. Y. Patten, Robert Kelly, C. A. Lemon, Frank Eliel, A. A. Franzke, Sam Stephenson, W. Winn, Tom Stout, J. D. Scanlan.

On motion duly made and carried the State Superintendent of Public Instruction, Miss May Trumper, and Chancellor Brannon of the University were invited to address the conference. In response to the invitation Miss Trumper gave a detailed report of the public school situation in Montana emphasizing especially the inequalities existing with reference to school taxation and school facilities.

Chancellor Brannon gave the conference an analysis of revenue and expenditure of the Montana University as well as presenting the probable future needs of this institution.

Meeting adjourned to 1:30 P. M.

In the afternoon session of the conference there was a general discussion of university and public school matters, participated in by James J. O'Shea, A. N. Whitlock, C. H. Williams, J. K. Heslet, M. S. Gunn, H. F. Mitchell, Mrs. C. D. Wiggernhorn, W. M. Johnson, C. C. Conser, James Harbert and Robert J. Kelly, Sam Stephenson.

The recommendations of the conference were expressed in the following resolutions properly introduced, seconded and unanimously carried after careful consideration.

Introduced by W. M. Johnson and seconded by W. S. Winn:

"That we recommend that the State Legislature be asked to pass a law creating a commission of three or five to study the needs of the common schools of the state and to report their findings to the Twenty-first Legislative Assembly, the commission to be appointed by the Governor."

Introduced by C. C. Conser and seconded by Dr. A. A. Baker:

"We recommended that the Legislature make a study of the possibility of the immediate creation of an equalization fund, formed from the pro-

eds of the special taxes now devoted to school support to be apportioned among the school districts according to some plan to be adopted after a study of the California or other state equalization plan."

Introduced by W. M. Johnson and seconded by Frank Eliel:

"We recommend that the legislature submit a referendum to be voted on at the general election of 1928 for the levy of a one and one-half mill rate tax for the support of the University of Montana."

It was moved by C. H. Williams and seconded by W. S. Winn that the airman appoint a committee of three to wait upon the legislature and commend that body to memorialize Congress for a return, for the benefit Montana schools, of fifty per cent or more of the forest revenues.

The chair appointed as a committee: C. H. Williams, J. K. Heslet and S. Gunn.

Conference adjourned.

J. E. ERICKSON, Governor."

A. A. FRANZKE, Secretary."

Moved by Bricker, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

The following communications were received from the Senate:

Helena, Montana, February 8, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that House Bill No. 58, by White, was this day read third time and incurred in, title agreed to, and is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 8, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Senate Bills were read three several times and passed, title and history agreed to, and are herewith transmitted to the house for concurrence.

S. J. R. No. 4, by Committee on Agriculture.

S. B. No. 25, by Pauline by request.

S. B. No. 37, by Corrington and Schnitzler.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 8, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following House Bills were this day introduced, read first and second time, and referred to the standing committees:

House Bill No. 127—Judiciary Committee.

House Bill No. 128—Counties and Towns Committee.

House Bill No. 138—Mines and Mining Committee.

House Bill No. 139—Mines and Mining Committee.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 8, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Notices of Introductions of Bills were this day given:

By Griffin, McCormick, Henderson, McCone, Dowlin, Pauline, Staggs, Tibbert, Green, Greenup, Delaney, McQuitty, Goodman, Corrington, Cowan, Johnson, John Campbell, Kemmis, Smith, Taylor: "An Act to amend Section 1783 of the Revised Codes of Montana of 1921, as amended by Chapter 29, Laws Nineteenth Legislative Assembly, Relating to State Highway Commission, creation, salary, bond, term, number of commissioners and districts of representation."

By Taylor: "An Act to repeal Chapter 159 of the Revised Codes Montana of 1921 relating to the classification of taxable property."

By Dell: "An Act to amend Section 4482 Revised Codes of Montana 1921, relating to contracts for county printing."

By Kemmis: "An Act to amend Chapter 213 of the Revised Codes of Montana 1921, known as the "Workman's Compensation Act" by adding thereto Section 2915-A to provide that when a workman dies as a result of injury and there is no liability for a compensation payment to his beneficiaries or dependents or when the liability for such payment is removed there shall be paid into the industrial administrative fund for the maintenance of the Industrial Accident Board and for the rehabilitation of persons vocationally handicapped a certain sum."

By Pauline, Church, Walker, Shelver and Delaney: "An Act to amend Section 1760 of the Revised Codes of Montana, 1921, relating to the registration fees for motor vehicles and the disposition thereof, and repealing all Acts and parts of Acts in conflict herewith."

By Joffray: "An Act requiring all persons driving motor vehicle upon the public highways of this State, either within or without the limits of incorporated municipalities, to bring said motor vehicle to a full and complete stop before crossing any railroad tracks, at crossing where flagman or mechanical device are not maintained to warn the traveling public; providing penalties for a violation thereof and repealing part of Section 3842, Revised Codes of Montana, 1921."

By Goodman: "An Act amending Section 647 of the Revised Codes of Montana of 1921, relating to vacancies in nominations, how filled."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 8, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorability that the following bills were this day introduced, read first and second times and referred to the standing committee:

Sub. for S. B. No. 32, introduced by Committee on Irrigation and Water Rights: "An Act to amend Section 7147 of the Revised Codes of Montana, of 1921, as amended by Chapter 11 of the Session Laws of the Eighteenth Legislative Assembly, relating to the apportionment of fees and expenses of water commissioners." Printing Committee.

S. B. No. 74, by Wuerthner, by request: "An Act amending Section 5711 of the Revised Codes of Montana, 1921, relating to obtaining marriage license from clerk of any district court." Judiciary Committee.

S. B. No. 75, by Committee on Horticulture: "An Act to amend Chapter 144 of the Session Laws of the Nineteenth Legislative Assembly of Montana of 1925, relating to the State Horticultural Revolving Fund." Horticulture Committee.

S. B. No. 76, by Judiciary Committee: "An Act to amend Section 8273 of the Revised Codes of Montana of 1921, relating to mortgages, deeds of trust or assignments for the benefit of creditors by corporations." Judiciary Committee.

S. B. No. 77, by Judiciary Committee: "An Act to repeal Section 592 of the Revised Codes of Montana of 1921, relative to the creation or increasing of the bonded indebtedness of corporations." Judiciary Committee.

S. B. No. 78, by Gilboe: "An Act to provide for the dissolution of joint school districts, providing for the holding of an election, the adjustment of indebtedness, validating certain defacto districts and repealing Section 1037 R. C. M. 1921." Education Committee.

S. B. No. 79, by Hazelbaker: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 5 of Article XVI of the Constitution of the State of Montana, designating the number and term of county officers upon the approval of the majority of the qualified electors of a county." Constitutional Amendments Committee.

S. J. R. No. 7, by Griffin: "A resolution requesting the State Board of Examiners to file a written report of its recommendation and plan of repayment to the income and investment fund moneys wrongfully used therefrom as acknowledged by Senate Joint Resolution No. 8, Session Laws of 1925, page 472." Education Committee.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 8, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows:

That consideration of S. B. No. 38 be passed.

That consideration of S. B. No. 17 be passed.

That consideration of S. Sub. for S. B. No. 5 be passed.

That S. B. No. 35 do pass.

That S. B. No. 45 do pass.

That H. J. R. No. 2 be concurred in.

That consideration of House Bills Nos. 18 and 65 be passed.

That House Bill No. 30 be amended as follows:

By striking out the Senate committee amendments: Also by striking out all of line 27 of Section 2 of said bill after the word "release" and all of lines 28, 29 and 30 and put a period after the word "release" in line 27.

Then add the following:

It is further provided that as soon as the State Board of Examiners shall have allowed and approved the said claim of O. G. Willett that then the said Board of Examiners shall immediately pay over to the duly and legally appointed guardian of said O. G. Willett the sum of Nine Thousand One Hundred Seventy-four & No-100 (\$9,174.00) Dollars or so much thereof as may be necessary as hereinabove provided for, but said sum or any other sum shall not be paid until said O. G. Willett shall have filed with the Board of Examiners his consent, in writing, to be removed to the Federal Lepersorium at Carville, Louisiana, and provided further that said money shall not be paid until O. G. Willett's wife shall also file her consent, in writing, waiving all claims or demands in full against the State of Montana; it being further provided that in event said O. G. Willett shall fail or refuse to leave the State of Montana and go to the lepersorium at Carville, Louisiana, that then, and in that event, the State Board of Examiners are hereby instructed not to pay the above sum of money, or any part thereof, to said O. G. Willett; and that, as so amended, it do pass.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 8, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees have this day reported as follows:

Committee on Education report that S. B. No. 57 be amended as follows:

Amend S. B. No. 57 in line 30 after the word "thereof" by inserting the words, "in its own district warrants or," and, as so amended, the bill do pass.

Committee on Public Buildings and Grounds report that S. B. No. 63 be amended as follows:

Amend S. B. No. 63 in Section 1 in the first line by striking out the words "immediately after the final adjournment" and inserting "on the last day", and in Section 2 after the words "upon the completion of the inventory" insert "and the adjournment of the legislature"; and, as so amended, the bill do pass.

A minority of Committee on Public Morals recommend that Senate Bill No. 29 do pass.

A majority of Committee on Judiciary report that S. B. No. 14 do pass.
Committee on Privileges and Elections report that H. B. No. 9 be carried in.

Committee on Education report that S. B. No. 62 do pass.

Committee on Finance and Claims report that S. B. No. 43 do pass.

Committee on Federal Relations report that S. J. R. No. 6 do pass.

Committee on Roads and Highways report that H. B. No. 117 be carried in.

Committee on Roads and Highways report that H. B. No. 118 be carried in.

Committee on Roads and Highways report that H. B. No. 119 be carried in.

Committee on Irrigation and Water Rights report that S. B. No. 31 introduced by Kane, do not pass, but that Sub. for Bill No. 32, introduced by Committee on Irrigation and Water Rights, do pass.

Committee on Irrigation and Water Rights report that S. B. No. 33 do pass.

Committee on Judiciary report that S. B. No. 77 do pass.

Committee on Judiciary report that S. B. No. 76 do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

THIRD READING OF HOUSE BILLS

House Bill No. 77, introduced by Arnold, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Berry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Gooch, Green (Fergus), Green (Dawson), Gustafson, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavitt, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Murphy, Nagel, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rockefeller, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, Woodcock, Mr. Speaker. Total—92.

Noes: None.

Absent and not voting: Akofer, Dunn, Fulsher, Hagerty, Hardestad, Mulholland, Ryder, Waite, White, Willard. Total—10.

House Bill No. 81, introduced by Moss, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Arnold, Benjamin, Benson, Bonine, Bretzke, Bricker, Brown, Budas, Burns, Cavanaugh, Cheadle, Clarke, Clause, Cooney, Darlington, Dellwo, Donaldson, Dougherty, Foot, Green (Fergus), Green (Dawson), Gustafson, Hardestad, Harris, Hodgskiss, Holton, Jameson, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knowles, Kroman, Leavens, Leavitt, Lillis, Logan, Lowry, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Murphy, Nagel, Nelson, Nelstead, Nicholson, O'Day, Plank, Reed, Rockefeller, Rognlien, Rorvik, Ryder, Sample, Shields, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—72.

Noes: Adair, Ballard, Barry, Besancon, Burke, Chatham, Doran,

rickson, Goodwin, Jenson, Kelly, Knight, Lamb, Larson, McCleary, McLeod, Mason, Plumer, Prescott, Rife, Sparling, Tinsley. Total—22.

Absent and not voting: Akofer, Curran, Dunn, Flachsenhar, Fulsher, Hagerty, Mulholland, Willard. Total—8.

House Bill No. 87, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Barry, Esancon, Bonine, Bretzke, Bricker, Brown, Burke, Cavanaugh, Chatham, Headle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Moran, Dougherty, Flachsenhar, Green (Fergus), Green (Dawson), Gustafson, Hardecastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Roman, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Sample, Shields, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Westlake, White, Woodcock, Mr. Speaker. Total—84.

Noes: Benson, Budas, Erickson, Foot, Larson, Moulton, Plumer, Rorvik, Ryder, Sparling, Warren. Total—11.

Present and not voting: Goodwin. Total—1.

Absent and not voting: Burns, Dunn, Fulsher, Hagerty, Stambaugh, Willard. Total—6.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders.

Mr. Sample in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 124, respectfully report as follows: That House Bill No. 124 be amended as follows:

Section 1: By striking out in line 5, the word "and" and adding in line 5 after the word "Badges", the words "Road Markers and Street Markers."

Section 2: By inserting in line 4, after the word "Badges", the words "Road Markers, Street Markers."

Section 3: By inserting in line 2 after the words "Auto name plates" "Road Markers, Street Markers."

And that as so amended said House Bill No. 124 do pass.

Moved by Bricker, duly seconded and carried, that the House recess until 2:30 P. M.

AFTERNOON SESSION

House resumed at 2:30 P. M.

Mr. Speaker in the chair.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports were received from standing committees:

Committee on Enrolling reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill No. 58.

WAITE, Chairman."

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 4, 89, 159, 160, 164, 165, 166, 171, and House Joint Resolution No. 4.

GREEN of Dawson, Chairman."

"Mr. Speaker: Your Committee on Printing, respectfully report House Bills Nos. 155, 158, 182, 184, 186, 197, 199 and House Resolution No. 5 as correctly printed.

COONEY, Chairman."

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 202, by Rockwood, respectfully report as follows. That House Bill No. 202 be re-referred to Committee on Townships and Counties.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 116, by Hodgskiss, respectfully report as follows: That House Bill No. 116, be amended as follows: By inserting in line 18 of Section 1, after the word "sheriffs" the following sentence: "Such notice shall be given for not less than five nor more than ten days prior to the date of sale"; and that as amended, House Bill No. 116, do pass.

Burns, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 179 by Appropriations Committee, respectfully report as follows: That House Bill No. 179 be amended as follows:

Section 1: By striking out in lines 1 and 2 the words "to purchase four chemical fire extinguishers", and in line 4 the words "One Thousand Dollars", and inserting in lieu thereof the words in lines 1 and 2 of Section 1, "requisition the purchasing department for four forty gallon soda and acid fire extinguishers on trucks;" and in line 4 the words "Seven Hundred Seventy Dollars".

Section 2: By striking out in line 1 the words "One Thousand Dollars", and inserting in lieu thereof the words "Seven Hundred Seventy Dollars."

And recommend, that as so amended said House Bill No. 179 do pass

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Joint Resolution No. 5, introduced by Bur Bretzke, Ryder and Cheadle, respectfully report as follows: That House Joint Resolution No. 5, be adopted.

WHITE, Chairman."

On motion of White, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 1, by Kemmis, respectfully report as follows: That Senate Bill No. 1 be concurred in.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 23, by Troy, respectfully report as follows: That House Bill No. 23 do pass.

TROY, Chairman."

Moved by Troy, duly seconded, that the report be adopted.

Moved by Nagle, as a substitute motion, duly seconded, that House Bill No. 23 be re-referred to Committee on Revenue and Taxation.

Question arising on substitute motion, same carried.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second times by title, and referred to standing committees:

House Bill No. 227, by Jones of Ravalli, by request: A Bill for an Act entitled: "An Act to amend Section 439 of the Revised Codes of Montana of 1921 relating to the salaries of employees at the State Capital". Referred to Judiciary Committee.

House Bill No. 228, by Barry and Ballard: A Bill for an Act entitled: "An Act to amend Section 1753 of the Revised Codes of Montana, of 1921, relative to the operation of vehicles on highways and providing for certain accessories including brakes, signalling devices, lamps, lights, and lighting equipment and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 229, by Committee on Livestock and Public Ranges: A Bill for an Act entitled: "An Act establishing a license tax on livestock coming into Montana from other states, and grazing therein, providing for collection of same and distribution of such tax and fixing the penalties for violation of this Act." Referred to Committee on Livestock and Public Ranges.

House Bill No. 230, by Adair and Jameson, by request: A Bill for an Act entitled: "An Act relating to special improvement districts in cities and towns authorizing the creation and establishment of a special improvement district revolving fund; and providing the purposes for and the manner in which loans may be made from such revolving fund to special improvement district funds." Referred to Committee on Affairs of Cities.

House Bill No. 231, by Burns: A Bill for an Act entitled: "An Act to amend Section 9469 of the Revised Codes of Montana, 1921, relating to the foreclosure of mortgages where the payments on debt secured fall due at different times." Referred to Committee on Judiciary.

House Bill No. 232, by Jameson: A Bill for an Act entitled: "An Act to amend Section 567 of the Revised Codes of Montana, 1921, providing for printing registry lists for city elections by the newspaper that may have a contract for the city or town printing." Referred to Committee on Privileges and Elections.

House Bill No. 233, by Darlington, Dunn and Westlake: A Bill for an Act entitled: "An Act to repeal Section 1627 of the Revised Codes of 1921, relative to the removal of obstructions on county highways and the duties of county commissioners and inhabitants of road districts to remove obstructions and repair bridges." Referred to Committee on Highways.

House Bill No. 234, by Throssel: A Bill for an Act entitled: "An Act empowering the State Board of Health, the State Department of Education and the State Department of Public Welfare to carry on their respective functions for the benefit of the Indians of Montana to the extent that the cost of such services shall be provided for by the Congress of the United States through Federal appropriations." Referred to Committee on Federal Relations.

House Bill No. 235, by Knight: A Bill for an Act entitled: "An Act relating to all property acquired by the State by escheat, forfeiture or failure of title and providing when title vests in the State, providing for making the State a party to foreclosure of liens in certain cases, providing for the administration of escheated estates on the establishment of heirship, providing for interest on funds withheld by administrators and county treasurers, providing for recovery of property where title has vested in the State and for the appointment of re-

ceivers in certain cases, providing the manner of sale of escheated a other property or proceeds by heirs or claimants, and repealing Section 7089, 7090, 9959, 9960, 9961, 9962, Revised Codes of Montana, 1921." Referred to Committee on Judiciary.

House Bill No. 236, by Johnson: A Bill for an Act entitled: "An A to amend Section 1253, Revised Codes of Montana of 1921, relating qualifications of voters on bond issues." Referred to Committee on Privileges and Elections.

House Bill No. 237, by Willard: A Bill for an Act entitled: "An A for the licensing of drivers of motor vehicles; persons exempted, who the license is suspended or revoked; persons ineligible for licensure; possession of license card; recording of licenses issued, suspended or revoked; expense records." Referred to Committee on Highways.

The following joint resolution was read at length and referred to Committee on Federal Relations:

House Joint Resolution No. 7, by Throssel: Relative to the policy of caring for the Indians of Montana by the expenditure of Federal appropriations through State Agencies."

At the request of Bricker, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of Standing Committees were received:

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 175, introduced by Cooney, respectfully report as follows: That House Bill No. 175 do pass.

CLARKE, Chairman."

On motion of Clarke, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 106, introduced by Benjamin, respectfully report as follows: That House Bill No. 106 do not pass.

CLARKE, Chairman."

On motion of Clarke, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 25, introduced by Pauline, by request respectfully report as follows: That Senate Bill No. 25 be concurred in.

CLARKE, Chairman."

On motion of Clarke, report adopted.

"Mr. Speaker: We, the majority of your Committee on Affairs of Cities, having had under consideration House Bill No. 95, introduced by Burke, Nagle, Dunn and Lillis, respectfully report as follows: That House Bill No. 95 be printed and placed on General Orders.

CLARKE, Chairman.

LILLIS.

BROWN.

SAMPLE.

DUNN.

THORBURN.

KROMAN."

"Mr. Speaker: We, the minority of your Committee on Affairs of Cities, having had under consideration House Bill No. 95, introduced by Burke, Nagle, Dunn and Lillis, respectfully report as follows: That House Bill No. 95 do not pass.

McLEOD.

KNIGHT.

BURKE.

PRESCOTT.

KELLY."

Moved by Clarke, duly seconded, that the majority report be adopted.

Moved by Kelly, as a substitute motion, duly seconded, that the minority report be adopted.

Question arising on substitute motion, same was lost.

Question arising on original motion, same carried.

"Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Bill No. 132, introduction by Donaldson and Woodcock, respectfully report as follows: That House Bill No. 132 do not pass.

ARNOLD, Chairman."

On motion of Arnold, report adopted.

"Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Bill No. 83, introduced by Cooney, Jones of Cascade, Brown, O'Day, Jensen, Shields, Darlington, Dunn and Westlake, respectfully report as follows: That House Bill No. 83 be amended as follows:

In line 11 of the original bill, after the word "Gallatin", the words be inserted "the city of Fort Benton, Chouteau County"; and that as amended recommend that it be printed and placed on General Orders.

ARNOLD, Chairman."

On motion of Arnold, report adopted.

"Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Joint Resolution No. 3, introduced by Cavanaugh, respectfully report as follows: That House Joint Resolution No. 3 be laid on the table.

ARNOLD, Chairman."

On motion of Arnold, report adopted.

At the request of Benjamin, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Benjamin, duly seconded and carried, that House reconsider its action on House Bill No. 106.

Moved by Benjamin, duly seconded and carried, that House Bill No. 133 be recalled from Printing Committee and re-referred to Committee on Affairs of Cities.

THIRD READING OF HOUSE BILLS

House Bill No. 4, introduced by Besancon and Marshall, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Dellwo, Donaldson, Doran, Dougherty, Dunn, Foot, Flachsenhar, Goodwin, Green (Lawson), Gustafson, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Ravalli), Kelly, Knight, Kroman, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Temple, Shields, Sparling, Stambaugh, Steeves, Throssel, Tinsley, Troy, White, Willard, Woodcock, Mr. Speaker. Total—80.

Noes: Darlington, Erickson, Green (Fergus), Holton, Jones (Phillips), Jones (Cascade), Knowles, Lamb, Moulton, Nelson, Sutton, Thorburn, Westlake. Total—13.

Absent and not voting: Bretzke, Fulsher, Hagerty, Leavitt, Moss, May, Ryder, Tierney, Warren. Total—9.

House Bill No. 89, introduced by Leavens, by request, having been

read three several times, title and history agreed to, was rejected by the following vote:

Ayes: Besancon, Bricker, Chatham, Cheadle, Clarke, Darlington, Donaldson, Doran, Dougherty, Flachsenhar, Green (Dawson), Harris, Holton, Jameson, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Leavens, Lillis, Logan, Lowry, Murphy, Nagle, Nelstead, Reed, Throssel, Troy, Waite, White, Mr. Speaker. Total—34.

Noes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cooney, Curran, Dellwo, Dunn, Erickson, Foot, Goodwin, Green (Fergus), Hardcastle, Hodgkiss, Jensen, Jones (Phillips), Lamb, Larson, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Nelson, Nicholson, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Thorburn, Tinsley, Warren, Westlake, Willard, Woodcock. Total—58.

Absent and not voting: Bretzke, Fulsher, Gustafson, Hagerty, Leavitt, Moss, O'Day, Plank, Ryder, Tierney. Total—10.

House Bill No. 151, introduced by Dellwo, Burns and Warren, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Dunn, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Hodgkiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plumer, Rife, Rockwood, Rognlien, Rorvik, Shields, Sparling, Steeves, Thorburn, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: Abrahamson. Total—1.

Absent and not voting: Adair, Bretzke, Donaldson, Fulsher, Hagerty, Harris, Leavitt, Merritt, Moss, O'Day, Plank, Plumer, Prescott, Reed, Sample, Stambaugh, Tierney. Total—17.

House Bill No. 159, introduced by Fish and Game Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Clausen, Cooney, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Foot, Hardcastle, Harris, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kroman, Leavens, Lillis, Logan, Lowry, McCleary, Marshall, Miller (Lincoln), Moss, Mulholland, Nagle, Nelson, Nicholson, Rockwood, Rognlien, Shields, Steeves, Thorburn, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard. Total—53.

Noes: Benson, Burns, Cheadle, Clarke, Curran, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hodgkiss, Holton, Kelly, Knight, Knowles, Lamb, Larson, Mason, Miller (Fergus), Moulton, Murphy, Nelstead, Plumer, Reed, Rife, Rorvik, Sample, Sparling, Thorburn, Warren, Woodcock, Mr. Speaker. Total—34.

Absent and not voting: Adair, Bretzke, Fulsher, Hagerty, Leavitt, McLeod, Merritt, O'Day, Plank, Prescott, Ryder, Stambaugh, Tierney, Tinsley, Troy. Total—15.

House Bill No. 160, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—85.

Noes: None.

Absent and not voting: Adair, Benson, Bretzke, Clarke, Fulsher, Hagerty, Johnson, Jones (Phillips), Knowles, Leavitt, O'Day, Plank, Ryder, Sample, Stambaugh, Tierney, Troy. Total—17.

House Bill No. 164, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Arnold, Ballard, Benjamin, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Lillis, Lowry, McCleary, McLeod, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Steeves, Sutton, Thorburn, Tierney, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting: Adair, Akofer, Benson, Bretzke, Cooney, Fulsher, Hagerty, Holton, Knowles, Leavitt, Logan, Mason, Mulholland, O'Day, Plank, Ryder, Sparling, Stambaugh, Throssel, Tinsley, Troy. Total—21.

House Bill No. 165, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Arnold, Ballard, Benjamin, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plumer, Prescott, Reed, Rife, Rockwood, Shields, Sparling, Sutton, Thorburn, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—77.

Noes: Abrahamson, Benson, Clausen, Green (Dawson), Sample, Steeves. Total—6.

Absent and not voting: Adair, Akofer, Bretzke, Fulsher, Hagerty, Johnson, Knowles, Leavitt, Miller (Lincoln), O'Day, Plank, Rognlien, Rorvik, Ryder, Stambaugh, Throssel, Tierney, Tinsley, Troy. Total—19.

House Bill No. 166, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle,

Clarke, Clausen, Cooney, Darlinton, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rorvik, Sample, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: Abrahamson. Total—1.

Absent and not voting: Adair, Akofer, Bretzke, Curran, Fulsher, Hagerty, Knowles, Kroman, Leavitt, O'Day, Prescott, Rognlien, Stambaugh, Tierney, Tinsley, Troy. Total—17.

House Bill No. 171, introduced by Insurance Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Burns, Curran, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Adair, Akofer, Bretzke, Brown, Darlinton, Fulsher, Hagerty, Knowles, Kroman, Leavitt, Moss, O'Day, Ryder, Stambaugh, Tierney, Troy. Total—16.

House Joint Resolution No. 4, introduced by Besancon and Moss, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Steeves, Sutton, Thorburn, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting: Adair, Bretzke, Brown, Chatham, Dellwo, Fulsher, Hagerty, Hodgskiss, Knowles, Kroman, Leavitt, Moss, Moulton, Nelson, O'Day, Ryder, Shields, Stambaugh, Throssel, Tierney, Troy. Total—15.

At the request of Reed, there being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first time by title, second time at length, and referred to Appropriations Committee:

House Bill No. 238, introduced by Appropriations Committee: A bill for an Act entitled: "An Act directing the State Board of Prison Comis-

oners to purchase lots 1, 2, 3, 4, 5 and 6 of Block 61 of the original townsite of Deer Lodge, Montana, together with the improvements thereon and the furniture and fixtures now used in connection therewith, at a price of \$15,000.00, to be used as a residence for the warden of the Montana State Prison, and making an appropriation therefor."

House Bill No. 239, introduced by Johnson and Nelstead: A Bill for an Act entitled: "An Act providing for the employment of prisoners confined in the State Penitentiary, authorizing and empowering the State Board of Prison Commissioners to establish, construct, maintain and operate at the State Penitentiary at Deer Lodge, a factory for the manufacture of wearing apparel; providing that the products thereof shall not be sold in the open market; not compete with the products of free labor; making the warden of the State Prison, superintendent of said factory, under the supervision of the Board of Prison Commissioners; providing for the disposal of the products thereof; creating a prison revolving fund and making a supplemental appropriation of money for the purpose of carrying this Act into effect."

The following bills were introduced, read first and second time by title and referred to standing committees:

House Bill No. 240, introduced by Chatham, Abrahamson, McLeod, Ted, Ballard, Akofer, Thorburn, Knight, Hodgskiss and Cheadle: A Bill for an Act entitled: "An Act to amend Section 11039 of the Revised Codes of Montana, 1921, relating to the keeping open of certain places of amusement on Sunday." Referred to Committee on Public Morals, Charities and Reform.

House Bill No. 241, introduced by Kelly, Barry, Ballard, Chatham, Codwin and Hardcastle: A Bill for an Act entitled: "An Act relating to the office of County Surveyor, defining the powers and duties of County Surveyor, abolishing the office of Road Supervisor, and repealing Sections 436, 4845, and 4847 of the Revised Codes of Montana of 1921." Referred to Committee on Townships and Counties.

House Bill No. 242, introduced by White, Leavens, Burns, Cheadle and Pegle; A Bill for an Act entitled: "An Act to amend Sections 4551 to 4552 inclusive of the Revised Codes of Montana of 1921, relating to athletic exhibitions; providing for the establishment of a State Athletic Commission and for the collection and disposition of a percentage of the gross receipts obtained as a result of athletic contests and exhibitions, and providing for a transfer of the funds now on hand in the State Treasury collected under existing laws now credited and held in the State Treasury in the "Soldiers' and Sailors' Home Fund" to be a separate fund to be designated as the "Veterans' Memorial Fund", the establishment and use of which is herein provided for." Referred to Committee on Ways and Means.

Senate Bill No. 24, by Survant and Wuerthner: "An Act providing for alteration of boundaries of incorporated cities and towns, and the extension of territory from the corporate limits thereof; granting power to the councils of such cities and towns to enact resolutions for that purpose; and providing for the payment of any outstanding bonded or other indebtedness of such excluded portion." Referred to Committee on Revenue and Taxation.

Senate Bill No. 35, by Walker: "An Act to amend Section 10434, Revised Codes of Montana, 1921, relating to the manner of giving notice of hearing of petition for sale of real estate or of real and personal estate of a ward and providing that if written consent to making the order of sale is given by all persons interested in the estate of the ward and by the next of kin notice need not be served or published and such hearing may take place at any time." Referred to Judiciary Committee.

There being no objections, House reverted to order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Bricker, duly seconded and carried, that the communication from the Senate be considered read at length and the Journal so show.

The following communications were received from the Senate:

Helena, Montana, February 8, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, title and history agreed to, and are herewith transmitted to the House for concurrence.

S. B. No. 34 by Walker.

S. B. No. 24 by Survant and Wuerthner.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 9, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 30, introduced by White and Fulsher, was this day read three several times, title and history agreed to, and concurred as amended in the Committee of the Whole as follows:

By striking out the Senate committee amendments; also by striking out all of line 27 of Section 2 of said bill after the word "release" and of lines 28, 29 and 30, and put a period after the word "release" in line 27. Then add the following:

It is further provided that as soon as the State Board of Examiners shall have had allowed and approved the said claim of O. G. Willett then the said Board of Examiners shall immediately pay over to the said O. G. Willett and legally appointed guardian of said O. G. Willett the sum of Nine Thousand One Hundred Seventy-four and no-100 (\$9,174.00) Dollars or much thereof as may be necessary as hereinabove provided for, but said sum or any other sum shall not be paid until said O. G. Willett shall have filed with the Board of Examiners his consent, in writing, to be removed to the Federal Lepersorium at Carville, Louisiana, and, provided, further, that said money shall not be paid until O. G. Willett's wife shall also, with her consent, in writing, waiving all claims or demands in full against the State of Montana; it being further provided that in event said O. G. Willett shall fail or refuse to leave the State of Montana and go to the Lepersorium at Carville, Louisiana, that then, and in that event, the State Board of Examiners are hereby instructed not to pay the above sum of money, or any part thereof, to said O. G. Willett.

House Bill No. 30 is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 9, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 100, by Westlake, was this day reported by the Committee on Judiciary with the recommendation that it be concurred in. Report adopted and Bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 9, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration House Bill No. 18, by Appropriations Committee, recommend that it be concurred in. Report adopted and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 9, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that H. J. R. No. 2, was this day read three several times and concurred in by a majority vote, title and history agreed to, and bill is herewith transmitted to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 9, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Notices of Introduction of Bills were this day given:

By Duncan: "An Act to amend Sections 1757, 1759 and 1760 of Chapter 135 of the Revised Codes of the State of Montana, 1921, providing for the registration of motor vehicles, and providing for penalties for violation of this Act."

By Duncan: "An Act to amend Sections 3, 5, 6 and 14, Chapter 113, of the Session Laws of the Nineteenth Legislative Assembly, to provide for the issuance of certificates of title and evidence of registration thereof; to regulate purchase and sale of other transfer of ownership; to facilitate the recovery of motor vehicles stolen or otherwise unlawfully taken; to provide for the regulation and licensing of certain dealers in used and second hand vehicles as herein defined; to prescribe the powers and duties of the Registrar of Motor Vehicles hereunder; and to provide penalties for violation of the provisions hereof."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 9, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following notice was this day given:

By Taylor: "An Act to amend Sections 10904 and 10908 of the Revised Codes of Montana, 1921, relating to unfair discrimination in purchase price and sales price of commodities, and repealing all Acts and parts of Acts in conflict herewith."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 9, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Committee of the Whole, having had under consideration business on General File report and recommend as follows:

That consideration of S. B. No. 38 be passed.

That S. B. No. 17 be amended in the title by striking out in line 4 the word "elec" and substituting therefor the word "Division."

Amend Section 1 of S. B. No. 17 by inserting in line 54 on page 2 between the word "District" and the word "to" the following "where the emergency occurs"; and that further consideration of S. B. No. 17 be passed.

That Senate Sub. for S. B. No. 5 be amended as follows:

Amend in the title in line 6 of the printed bill after the word "inspection" by adding the words "providing fees for such inspection; designating options from this Act."

Amend title in line 7 of the printed bill by substituting "75" for "76", that further consideration of Senate Sub. for S. B. No. 5 be passed.

That S. B. No. 52 be amended in the title by adding after the words "pipe lines" a comma and the words: "Water mains, or mains carrying other substance."

Amend in Section 1 by placing a comma after the last word in line 4 of the printed bill together with the following words: "Water or any other substance"; and, as so amended, the same do pass.

That H. B. No. 9 be concurred in.

That H. B. No. 18 be not concurred in.

That consideration of H. B. No. 65 be passed.

That consideration of H. B. No. 64 be passed.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 9, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced, read first and second times and referred to the standing committees:

H. B. No. 103—Finance and Claims Committee.

H. B. No. 143—Stockgrowing and Grazing Committee.

H. B. No. 154—Military Affairs Committee.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 9, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bill was this day introduced, read first and second time and referred to the standing committee:

S. B. 87, by Pauline, Church, Walker, Shelver and Delaney: "An Act to amend Section 1760 of the Revised Codes of Montana, 1921, relating to the registration fees for Motor vehicles and the disposition thereof, repealing all Acts and parts of Acts in conflict herewith." Roads and Highways.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 9, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second time and referred to the standing committees:

S. J. Memorial No. 2, by Garber: A memorial to the House of Representatives of the United States in Congress assembled, to adopt the Senate Joint Resolution proposing an amendment to the Constitution of the United States fixing the terms of President and Vice President and members of Congress, and fixing the time of the assembling of Congress. Federal Relations.

S. B. No. 80, by Eaton and Swift: A bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article VII of the Constitution of the State of Montana so as to provide for the appointment of the State Superintendent of Public Instruction by the State Board of Education, notwithstanding any other limitation contained therein." Constitutional Amendments.

S. B. No. 81, by Goodman: A Bill for an Act entitled: "An Act to amend Section 647 of the Revised Codes of Montana, 1921, relating to vacancies in nominations and how filled." Privileges and Elections.

S. B. No. 82, by Taylor: A Bill for an Act entitled. "An Act to repeal Chapter 159 of the Revised Codes of Montana of 1921 relating to classification of Taxable property." Taxation.

S. B. No. 83, by Joffray: A Bill for an Act entitled: "An Act requiring all persons driving motor vehicles upon the public highways of the State, either within or without the limits of incorporated municipalities to bring said motor vehicle to a full and complete stop before crossing any railroad tracks, at crossing where a flagman or mechanical device is not maintained to warn the traveling public; providing penalties for violation thereof and repealing part of Section 3842, Revised Codes of Montana, 1921." Roads and Highways.

S. B. No. 84, by Larson: A Bill for an Act entitled: "An Act to amend and re-enact Section 7173 of the Revised Codes of Montana of 1921 amended by Section 3 of Chapter 157 of the Session Laws of the Eighteenth

legislative Assembly, relating to irrigation districts, salary of commissioners, penalty for interest in contract and bonds of commissioners." Irrigation.

S. B. No. 85, by Kemmis: "An Act transferring the duty and responsibility of collections all non-resident inheritance taxes, all gross earnings taxes on freight lines and all license taxes which are determined by the Board of Equalization, from the State Treasurer to the Board of Equalization and repealing all Acts and parts of Acts in conflict herewith." Finance and Claims.

S. B. No. 86, by Kane, Garber and Taylor: A Bill for an Act entitled: An Act to provide for security of bank deposits; creating the bank depositors guarantee fund, the bankers conservation fund commission and prescribing its duties and compensations; regulating bank receiverships and liquidations; regulating certificates of deposits defining the duties of the Superintendent of Banks, Governor and Attorney General with relation to this Act; providing penalties for the violation of this Act; repealing all Acts in conflict herewith; providing for a referendum of this Act." Banks and Banking.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 9, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the standing committees have this day reported as follows:

Judiciary Committee reports that S. B. No. 64 be amended as follows:

Amend by striking out the comma after the word "hire" in line 16 of said bill and inserting the word "or" in lieu thereof; by striking out all of line 17 and the first two words in line 18 and the comma following the word "vendor", being the second word used in line 18; and by striking out the last three words in line 18 and the comma at the end of line 18 after the word "vendor;" and that, as amended, the bill do pass.

Committee on Education report that Senate J. R. No. 7 do pass.

Committee on Horticulture report that S. B. No. 75 do pass.

Committee on Education report that S. B. No. 78 do pass.

Committee on Enrolling report that S. B. No. 3 has been correctly enrolled and verified.

Committee on Enrolling report that S. B. No. 22 and S. B. No. 23 have been correctly enrolled and verified.

Judiciary Committee report that Sub. for H. B. No. 5 be concurred in.

Judiciary Committee report that S. B. No. 73 do not pass.

Judiciary Committee report that S. B. No. 74 do not pass.

Judiciary Committee report that Sub. for H. B. No. 32 be concurred in.

Judiciary Committee report that H. B. No. 100 be not concurred in.

Respectfully,
J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:30 A. M., Thursday, February 10, 1927.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

THIRTY-NINTH DAY

House of Representatives,
Helena, Montana, February 10, 1927.

House convened pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all members present, except: Fulsher, excused on account of illness; Hagerty, excused by Speaker.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirty-eighth legislative day, find the same to be correct."
G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

COMMUNICATIONS AND PETITIONS

The following communication was received:

"Josephine Hepner Chapter No. 89, Order of the Eastern Star, entertain at the Recreation hall, Fort Harrison, the wives of the members of the legislature and the ex-service men at Fort Harrison on Friday afternoon, February 11. The legislative ladies are requested to meet at 12 noon at the Placer, where auto service will be furnished to convey them to the Fort."

REPORTS OF STANDING COMMITTEES

The following report of standing committees were received:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 161 and 162."
GREEN of Dawson, Chairman."

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 142, 167, 185, 194 as correctly printed."
COONEY, Chairman."

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 216, introduced by Gustafson, respectfully report as follows: That House Bill No. 216 do pass."
LEAVENS, Chairman."

On motion of Leavens, report adopted.

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 229, introduced by Committee on Livestock and Public Ranges, respectfully report as follows: That House Bill No. 229 do pass."
LEAVENS, Chairman."

On motion of Leavens, report adopted.

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 153, introduced by Dougherty, Woodcock, Jones (Phillips) and Jones of Ravalli, respectfully report as follows: That House Bill No. 153 do not pass."
LEAVENS, Chairman."

On motion of Leavens, report adopted.

"Mr. Speaker: We, the minority of your Committee on Judiciary, having had under consideration House Bill No. 109, introduced by Adair, respectfully report as follows: That House Bill No. 109 be amended as follows: By striking out the word "employee" in line 8 of Section 1; by placing a semicolon instead of a period after the word "family" in line 1 of Section 1 and inserting thereafter the following: "provided, that nothing herein shall be construed as abrogating the defense of contributory negligence" and that as amended, House Bill No. 109 do pass."

ADAIR.
BURNS.
CHEADLE.
BESANCON.
FLACHSENHAR.
LAMB."

"Mr. Speaker: We, the majority of your Committee on Judiciary, having under consideration House Bill No. 109, introduced by Adair, respectfully report as follows: That House Bill No. 109 do not pass.

LEAVITT.
SAMPLE.
KNIGHT.
ROCKWOOD.
LEAVENS.
CAVANAUGH.
JAMESON.
NAGLE.
FOOT."

Moved by Leavitt, duly seconded, that Majority report be adopted.

Moved by Adair, as substitute motion, duly seconded, that Minority report be adopted.

Question arising on substitute motion, same carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second time by the House and referred to Standing Committees:

House Bill No. 243, introduced by Lowry: A Bill for an Act entitled: "An Act requiring every person, firm, association, joint stock company and corporation engaged in or carrying on the business of producing or manufacturing, in this State, carbon black or other products from natural gas to pay to the State Treasurer for engaging in and carrying on such business, certain license taxes for the exclusive use and benefit of the State of Montana; fixing the amount of such license taxes; prescribing a method for the assessment and collection thereof and prescribing penalties for the violation of the provisions of this act." Referred to Committee on Revenue and Taxation.

House Bill No. 244, introduced by Burns: A Bill for an Act entitled: "An Act to amend Section 12277 of the Revised Codes of the State of Montana of 1921, relating to procedure against delinquent children and juvenile delinquent persons." Referred to Committee on Education.

House Bill No. 245, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sections 1999 and 2000 Revised Codes of Montana, 1921, providing for the classification of taxable property in this State for the purpose of taxation, and providing the percentage of the true and full value of each class which shall be assessed and used for the imposition of the tax thereon." Referred to Committee on Revenue and Taxation.

House Bill No. 246, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sections 2005 and 2007 Revised Codes of Montana, 1921, relating to the filing with the County Assessor of Statements showing property subject to taxation, and providing the method for making such statement upon refusal, failure or neglect to file the same." Referred to Committee on Revenue and Taxation.

House Bill No. 247, introduced by White, Leavens, and Jones of Cascade, by request: A Bill for an Act entitled: "An Act to amend Section 1998 of the Revised Codes of Montana of 1921, relating to exemptions from taxation." Referred to Committee on Ways and Means.

House Bill No. 249, introduced by Goodwin: A Bill for an Act entitled: "An Act to repeal Chapter 188 of the Laws of 1925, relating to the licensing of dealers in Oleomargarine or other substitutes, for dairy products, and fixing the fees for the same, and providing penalties for the violation of the Act and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Revenue and Taxation.

The following bill was introduced, read first time by title and second time at length and referred to Committee on Appropriations:

House Bill No. 248, introduced by Lillis: A Bill for an Act entitled "An Act to create an Irrigation and Water Right Code Committee and prescribe its power and duties and making appropriations therefor."

MOTIONS AND RESOLUTIONS

Moved by Willard, duly seconded and carried, that House Bill No. 23 be recalled from Highways Committee and re-referred to Committee on Public Safety.

Moved by Flachsenhar, duly seconded and carried, that Senate Bill No. 1 be taken from General Orders and made a Special Order of Business, Friday, February 11, at 2:00 P. M.

Moved by Nelstead, duly seconded and carried, that House Bill No. 186 be taken from General Orders and made a Special Order of Business, Wednesday, February 16, at 2:00 P. M.

THIRD READING OF HOUSE BILLS

House Bill No. 161, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Lamb, Larsen, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—87.

Noes: None.

Absent and not voting: Brown, Burns, Fulsher, Green (Fergus), Hagerty, Jameson, Johnson, Kelly, Knowles, Kroman, Moss, O'Day, Rorvik, Ryder, White. Total—15.

House Bill No. 162, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Reed, Rife, Rockwood, Rognlien, Shields, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: None.

Absent and not voting: Bricker, Donaldson, Fulsher, Hagerty, Johnson, Kelly, Knight, Merritt, Moss, Moulton, O'Day, Plank, Plumer, Prescott, Rorvik, Ryder, Sample, Sparling, Troy. Total—19.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole, under the rule that proponents and opponents of bills be allowed to talk five minutes and others three minutes on the bill; and that on amendments, proponents be allowed three minutes and others two minutes, with no trading of time, and that members be allowed to talk only once on amendments, except opponents and proponents of bills; and that bills be read by history, title and section numbers only.

Mr. Westlake in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 25 and Senate Bill No. 30, Senate amendment to H. B. No. 30; House Bills Nos. 61, 155, 158, 182 and 184 respectfully report as follows: That Senate Bill No. 25 be concurred in.

That Senate Bill No. 30 be concurred in.

That Senate Amendment to H. B. No. 30 be concurred in.

That House Bill No. 61 be amended as follows:

Section 3: By striking out Section 3 and to renumber the subsequent sections to conform therewith; and that as so amended said bill do pass.

That House Bill No. 155 do pass.

That House Bill No. 158 do pass.

That House Bill No. 182 do pass.

That House Bill No. 184 do pass.

WESTLAKE, Chairman."

On motion of Westlake, report adopted.

There being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 44 be recalled from Committee on Education and be re-referred to Committee on Judiciary.

Moved by Bricker, duly seconded and carried, that House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

SPECIAL ORDER

CONSIDERATION OF GENERAL ORDERS

With respect to House Bill No. 157.

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole, for consideration of Special Order of Business set for this date; under the rules of previous sitting.

Mr. Flachsenhar in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 157, respectfully report as follows: That House Bill No. 157 be amended as follows:

Section 1: By striking out in line 8, of printed bill, the words and figures "Six Hundred Dollars (\$600.00)", and inserting in lieu thereof the words and figures "Two Hundred Dollars (\$200.00)".

Section 2: By inserting in line 19, page 2, of printed bill, immediately following the word "Commission", the words and figures "not exceeding in amount Three Thousand (\$3,000.00) Dollars per year."

Section 3: By inserting in line 6, after the word "wardens", of printed bill, the words "not in excess of twenty-two."

By striking out in line 5, of printed bill, the word "commission", after the word "Game", and inserting in lieu thereof the word "Warden".

By striking out in lines 7, 8, and 9, of printed bill, the word "Commission", and inserting in lieu thereof the word "Warden."

By adding in line 9, of printed bill, after the word "cause," the words "after due hearing."

By striking out in lines 19 and 20, of printed bill, the words "sum amounts as the Commission may allow per day for services actually rendered", and inserting in lieu thereof the words and figures "not to exceed One Hundred Twenty-five Dollars (\$125.00) per month."

Section 4: By striking out in line 11, of printed bill, after the word "in", the word "three", and inserting in lieu thereof the word "two"; by inserting in said line after the word "first" the word "and"; by striking out in the said line the words "and third"; by striking out the first word in line 12; by inserting the letter "s" after the word "warden" in line 12; by striking out the words "in the first or second grade" in line 12.

By striking out line 19 of printed bill.

By striking out the last three words in line 14 and all of line 15, of printed bill, and inserting in lieu thereof the words "as follows: That of the First Grade a sum not exceeding \$1800.00 per annum; and that of the Second Grade a sum not exceeding \$1650.00 per annum."

Section 5: By striking out in line 6, of printed bill, after the word "salary", the words "to be fixed by the commission", and inserting in lieu thereof the words "of Thirty-six Hundred Dollars."

Section 6: By adding the words "Mackinaw Trout" (*Salvelinus N. maycush*); in line 40, page 5, of printed bill.

Section 8: By striking out all of line 12 on page 6 of the printed bill.

Section 9: By striking out in line 11 of printed bill the word "and" after the word "officers", and inserting after the word "soldiers" the following words "sailors and marines" and insert in line 12 after the word "army" the following words "navy or marine corps."

By striking out in line 42 of printed bill the word "only."

By striking out lines 43 and 44 of printed bill.

By striking out in line 37 of printed bill the words and figures "Ten Dollars (\$10.00)", and inserting in lieu thereof the words and figures "Five Dollars (\$5.00)".

Section 12: By striking out lines 51 to 56 inclusive, of printed bill and by substituting in lieu thereof the following: "The Fish and Game Commission is hereby granted authority to regulate, supervise and prohibit the use as fish bait of salmon eggs or salmon spawn, or any imitations or substances prepared therefrom, in any stream in this State whenever the same may be deemed necessary. Whenever the said Commission shall have made an appropriate order under the powers conferred upon it by this section, prohibiting the use of salmon eggs or salmon spawn, or any imitations or substances prepared therefrom, as bait in any specified stream or streams in the State of Montana, it shall be unlawful and a misdemeanor, punishable as in this act hereinafter provided, for any person to fish with or use as fish bait any salmon eggs or salmon spawn, or any imitations or substance

prepared therefrom, in the stream or streams designated by such order or orders."

On motion committee arose and reported progress.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

The Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report House Joint Resolution No. 2 correctly enrolled.

WAITE, Chairman."

At the request of Bricker, there being no objections, House reverted to order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Helena, Montana, February 10. 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that, on motion duly made and seconded, the Senate, by a roll call requests the return of House Joint Resolution No. 2 for further consideration.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Nagle, duly seconded, that the request of the Senate be granted.

Moved by Besancon, as a substitute motion, duly seconded, that the request of the Senate be declined.

Question arising on the substitute motion, same carried.

Moved by Bricker, duly seconded and carried, that the remainder of communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 10. 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that H. B. No. 103, introduced by Throssel, was, upon the recommendation of the Committee on Finance and Claims, not concurred in. Report adopted and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 10. 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that House Bill No. 119, introduced by Bricker and Besancon, was this day read three several times, concurred in as amended by the Committee of the Whole, as follows:

Amend in Section 13 by inserting after the word "Montana" in line 22 of the engrossed bill, the words "the collection and enforcement of this Act";

Amend in Section 13 by striking out in line 16 of the printed bill the word "net";

Amend in Section 15 by striking out the entire section and inserting in lieu thereof the following:

"Section 15. Any person engaged in the business of handling gasoline as defined in this Act, after the license tax imposed by this Act, or any part thereof, has been delinquent as provided by this Act, or the same has not been paid under protest, shall, in addition to the penalties hereinbefore provided, be deemed guilty of a misdemeanor for each offense, and shall upon conviction thereof, be punished by a fine in any sum not more than \$500 or imprisonment in the county jail for not more than six months, or by both such fine and imprisonment".

Bill is herewith returned for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 10. 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 118, by Bricker and Besancon, was this day read three several times, concurred in as amended by the Committee of the Whole as follows:

Amend in Section 2 by inserting after the word "purposes" on line 8 of the engrossed bill the words "and expense of collection and enforcement. Bill is herewith returned for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 10. 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill 117, introduced by Bricker and Besancon, was this day read three several times, concurred in as amended by the Committee of the Whole as follows:

Amend in Section 1 by striking out in line 22 of page 1 of the engrossed bill, the words "State Treasurer" and inserting in lieu thereof the word "State Board of Equalization."

Amend in Section 1 by striking out in line 30 of page 1 of the engrossed bill, the words "State Treasurer" and inserting in lieu thereof the word "State Board of Equalization."

Amend in Section 1 by striking out in line 32 of page 1 and line 1 of page 2, of the engrossed bill the words "The State Treasurer, upon receipt of such statement, shall notify the State Board of Equalization thereof."

Amend in Section 1 by striking out in line 2 of page 2 of the engrossed bill, the words "Thirty days" and inserting in lieu thereof the words "sixty days."

Bill is herewith returned for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 10. 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 9, by Donaldson and Flachsenhar, was this day read three several times and concurred in, title and history agreed to, and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 10. 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 35, by Church, and Senate Bill No. 45, by Committee on Livestock and Grazing, were this day read three several times and passed, title and history agreed to, and are herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 10. 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House bills were this day read first and second times and referred to the standing committees:

House Joint Resolution No. 4—Railroads and Transportation.

House Bill No. 14—Banks and Banking.

House Bill No. 77—Finance and Claims.

House Bill No. 81—Privileges and Elections.

House Bill No. 87—Finance and Claims.

House Bill No. 151—Agriculture.

House Bill No. 159—Fish and Game.

House Bill No. 160—Finance and Claims.

House Bill No. 164—Finance and Claims.

House Bill No. 165—Finance and Claims.

House Bill No. 166—Finance and Claims.

House Bill No. 171—Insurance.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 10, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following standing committees have this day reported as follows:

Committee on Privileges and Elections report that S. B. No. 81 do pass.

Committee on Privileges and Elections report that S. B. No. 55 do not pass.

Committee on Irrigation and Water Rights report that S. B. No. 84 do pass.

Committee on Privileges and Elections report that S. B. No. 56 do pass.

Committee on Privileges and Elections report that S. B. No. 61 do pass.

Committee on Oil and Leases report that S. B. No. 28 be amended by striking from it Sections 22 to 32 inclusive, and that the title of said bill be rewritten to conform to the body of the Act, and that, as so amended, the bill do pass. Report not adopted and on motion, bill was ordered printed.

Committee on Livestock and Grazing report that H. B. No. 143 be amended in line 9, page 2, of the engrossed bill by striking out the word "must" and inserting in lieu thereof the word "may", and, as so amended, the same be concurred in.

Committee on Finance and Claims report that H. B. No. 68 do pass.

Committee on Finance and Claims report that S. B. No. 85 be amended as follows: That S. B. No. 85 be amended after the word "tax" in line 23 of the original bill by inserting the following words: "Now imposed upon the State Treasurer."

Amend in line 25 by striking out the word "first" and inserting in lieu thereof the word "tenth."

Amend by striking out the word "fifteenth" in line 25 and inserting in lieu thereof the word "twenty-fifth", and, as so amended, the bill do pass.

Committee on Finance and Claims report that H. B. No. 80 be concurred in.

Committee on Finance and Claims report that H. B. No. 103 be not concurred in.

Committee on Judicial Districts report that S. B. No. 7 do not pass.

Committee on Taxation report that S. B. No. 47 do pass.

Committee on Taxation report that S. B. No. 46 do not pass.

Committee on Taxation report that S. B. No. 44 do not pass.

Committee on Agriculture report that S. B. No. 68 do pass.

Committee on Stock Growing and Grazing report that S. B. No. 71 be amended as follows:

Amend by striking out line "20", Section 1, of the original bill and inserting in lieu thereof the following: "Owner of sheep, cattle or other livestock under the charge of a herder, for trespass committed by such livestock upon", and, that as so amended, it do pass.

Committee on Judicial Districts report that S. B. No. 2 be amended as follows: That all previous amendments made be stricken out and that said bill be amended as follows:

That the present title thereof be stricken out and the following substituted therefor:

"A Bill for an Act entitled: An Act to amend Sections 8812 and 8813, Revised Codes of Montana, 1921, defining Judicial Districts within the

State of Montana and designating the number of judges thereof, by including within the Eighth Judicial District as at present constituted the County of Chouteau, and abolishing the Twelfth Judicial District and continuing the numbering of all districts as at present, designating the judges for said districts."

That all the language in Section 1 of said bill, commencing with the word "Twelfth District" be stricken out and the following substituted therefor:

"Thirteenth District—Big Horn, Carbon and Yellowstone Counties."

"Fourteenth District—Broadwater, Meagher and Wheatland Counties."

"Fifteenth District—Golden Valley, Musselshell, Rosebud and Treasure Counties."

"Sixteenth District—Carter, Custer, Fallon, Garfield and Powder River and Prairie Counties."

"Seventeenth District—Phillips and Valley Counties."

"Eighteenth District—Blaine, Hill and Liberty Counties."

"Nineteenth District—Glacier, Pondera, Teton and Toole Counties."

"Twentieth District—Daniels, Roosevelt and Sheridan Counties."

And that, after the word "Ravalli" in line 17, page 1, the word "Lal" be added. And that the words "Twelfth" and "Fifteenth" in line 14, page 2, be stricken out and the words "Thirteenth" and "Sixteenth" be substituted therefor, and that, as amended, the same do pass.

Reports adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 10, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, a special order of business for 11 o'clock, report and recommend as follows:

That H. B. No. 117 be amended in Section 1 by striking out in line 2 of page 1 of the engrossed bill, the words "State Treasurer" and inserting in lieu thereof the words "State Board of Equalization."

Amend in Section 1 by striking out in line 32 of page 1 and line 1 of page 2, of the engrossed bill the words "The State Treasurer, upon receipt of such statement, shall notify the State Board of Equalization thereof."

Amend in Section 1 by striking out in line 30 of page 2 of the engrossed bill, the words "State Treasurer" and inserting in lieu thereof the words "State Board of Equalization."

Amend in Section 1 by striking out in line 2 of page 2 of the engrossed bill, the words "thirty days" and inserting in lieu thereof the words "sixty days", and that, as so amended, the same be concurred in.

That H. B. No. 118 be amended in Section 2 by inserting after the words "purposes" on line 8, of the engrossed bill the words, "and expense of collection and enforcement", and, as so amended, it be concurred in.

That H. B. No. 119 be amended in Section 13 by inserting after the word "Montana" in line 22 of the engrossed bill, the words "the collection and enforcement of this Act."

Amend in Section 13 by striking out in line 16 of the printed bill the word "net."

Amend in Section 15 by striking out the entire section and inserting in lieu thereof the following:

"Section 15. Any person engaged in the business of handling gasoline as defined in this Act, after the license tax imposed by this Act, or any part thereof has been delinquent as provided by this Act, or the same has been paid under protest, shall, in addition to the penalties hereinbefore provided, be deemed guilty of a misdemeanor for each offense, and shall upon conviction thereof, be punished by a fine in any sum not more than \$

or imprisonment in the county jail for not more than six months, or by both such fine and imprisonment", and that, as so amended, the same be concurred in.

Reports adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 10, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows:

That S. B. No. 38 do pass.

That consideration of S. B. No. 17 be passed.

That consideration of S. J. R. No. 6 be passed.

That S. Sub. for H. B. No. 22 do pass.

That consideration of S. B. No. 41 be passed.

That S. B. No. 53 do pass.

That S. B. No. 66 do pass.

That House Substitute for H. B. No. 5 be concurred in.

That House Substitute for H. B. No. 32 be concurred in.

That H. B. No. 65 be concurred in.

Reports adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 10, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Notices of Introduction of Bills were this day given:

By Shelver: S. J. Memorial, memorializing Congress to enact legislation providing that whereas the Northern entrance to Yellowstone National Park is recognized by the United States Government as the official entrance to said national park and, whereas, the Northern entrance to said national park known as the "Livingston-Gardiner Gateway" is and always has been the logical entrance to said park, in order to view the beauties of this wonderland in their natural order and sequence, in order to better appreciate the mysteries of nature and to view the wonderful resources of Montana, that laws be enacted so as to provide that all other places of egress from said park be recognized, designated and determined as "Exits Only."

By Cowan: "An Act to amend Sections 918 and 921 of the Revised Codes of Montana of 1921 as amended by Chapter 66 of the Session Acts of the Nineteenth Legislative Assembly of Montana of 1925, relating to the control of the Northern Montana Agricultural and Manual Training School; creating an executive board for said institution and defining its powers and duties; establishing a special fund for the support of said school; authorizing the location of academic departments of said school, at Havre, Montana; and repealing Section 4 of said Chapter 66 last aforesaid."

By Porter: "An Act providing for a dormitory petty cash fund for any high school operating a dormitory, and prescribing the method of handling such fund."

By Hazelbaker, Dowlin, Sibbert: "An Act defining and providing for the abatement of certain nuisances; declaring barbed wire and other wire fencing a nuisance under certain circumstances; authorizing the Board of County Commissioners to abate such nuisances; providing for the sale of such wire and the disposition of the proceeds thereof, and repealing all Acts in conflict herewith."

By Eaton, Swift, Cowan, Smith: "An Act to amend Section 831, Revised Codes, 1921, relating to the appointment of members of the State

Board of Education and providing regulations and restrictions for the appointment."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 10, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second time and referred to the standing committees:

S. B. No. 88, by Kemmis: "An Act to amend Chapter 213 of the Revised Codes of Montana 1921, known as the 'Workmen's Compensation Act' by adding thereto Section 2915-A to provide that when a workman dies as result of injury and there is no liability for compensation payment to his beneficiaries or dependents or when the liability for such payment is removed, there shall be paid into the Industrial Administrative Fund for the maintenance of the Industrial Accident Board and for the rehabilitation of persons vocationally handicapped a certain sum." Finance and Claims Committee.

S. B. No. 89, by Dell: "An Act to amend Section 4482, Revised Codes of Montana 1921, relating to contracts for county printing." Counties and Towns Committee.

S. B. No. 90, by Duncan by request: "An Act to amend Sections 175, 1759 and 1760 of Chapter 135, of the Revised Codes of Montana, 1921, providing for the registration of motor vehicles and providing for penalties for violation of this Act." Roads and Highways.

S. B. No. 91, by Duncan by request: "An Act to amend Sections 5, 6 and 14, Chapter 113 of the Session Laws of the Nineteenth Legislative Assembly, to provide for the issuance of certificates of title and evidence of registration thereof; to regulate purchase and sale of other transfer of ownership; to facilitate the recovery of motor vehicles stolen or otherwise unlawfully taken, to provide for the regulation and licensing of certain dealers in used and second hand vehicles as herein defined; to prescribe the powers and duties of the Registrar of Motor Vehicles hereunder; and to provide penalties for violation of the provisions hereof." Judiciary.

S. B. No. 92, by McCormick, Henderson, McCone, Dowlin, Pauline Staggs, Sibbert, Greenup, Delaney, Green, McQuitty, Goodman, Corrington Cowan, Johnson, John Campbell, Kemmis, H. C. Smith, Taylor: "An Act to amend Section 1783 of the Revised Codes of Montana of 1921, as amended by Chapter 129 laws Nineteenth Legislative Assembly relating to State Highway Commission, creation salary bond, term, number of commissioners and districts of representation." Roads and Highways.

S. B. No. 93, by Ruffcorn: "An Act to amend Section 103 of the Revised Codes of Montana, 1921, relating to the certification, entitling and numbering of initiative and referendum measures; the printing of same on the official ballot and repealing all Acts and parts of Acts in conflict herewith." Privileges and Elections.

S. B. No. 94, by Dowlin by request: "An Act to amend Chapter 30, of the Session Laws of the Eighteenth Legislative Assembly as amended by Chapter 85, of the Nineteenth Legislative Assembly, relating to the publication of the report of the State Examiner, covering the examination of the various county offices." Counties and Towns.

S. Joint Memorial No. 3, by Committee on Livestock and Grazing: Memorial to the Congress of the United States to enact such legislation as may be necessary to require payment of all moneys received from each Forest Reserve, after deducting administrative and other expenses, to the State or territory in which such forest reserve is located for the benefit of the public schools and public roads of such State or territory." Printing.

S. J. R. No. 8, by Pauline and Tower: Relative to the appointment of a representative by the Governor who shall serve as a representative of the State of Montana on a joint commission composed of one representative from each of the states—Montana, Idaho, Washington and Oregon—relative

the apportionment of the waters of Flathead river and lake. Federal relations.

Respectfully,
J. F. CONE, Secretary of Senate."

Mr. Speaker excused Jensen for remainder of the day.

Mr. Speaker gave notice that he was about to sign House Joint Resolution No. 2, and thereupon signed the same.

The following report was received from the Printing Committee:

"Mr. Speaker: We, your Committee on Printing, respectfully report House Bills Nos. 96, 123, 140, 141, 156, and 207 as correctly printed.

COONEY, Chairman."

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 203, introduced by the Committee on Irrigation and Water Rights, respectfully report as follows: That House Bill No. 203 do pass.

LILLIS, Chairman."

On motion of Lillis, report adopted.

"Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 215, introduced by the Committee on Irrigation and Water Rights, respectfully report as follows: That House Bill No. 215 be amended as follows:

On line nine (9) of the title by striking out in the words "Section 30" figure "thirty (30)" and inserting in lieu thereof the figure "three (3)."

And on line four (4) of Section three (3) by striking out in the words "Section 30" the figure "thirty (30)" and inserting in lieu thereof the figure "three (3)", and that as so amended. said bill do pass.

LILLIS, Chairman."

On motion of Lillis, report adopted.

There being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second time by title and referred to standing committees:

House Bill No. 250, introduced by Thorburn and Cheadle: A Bill for an Act entitled: "An Act to provide a method for the selection of school text books for public schools in the State of Montana, and repealing Sections 137, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197 and 1200 and Chapter 25 of the Laws of the Nineteenth Session of the Legislative Assembly of the State of Montana, 1925, which provide for the creation of a State text book commission and the compensation of the members thereof." Referred to Committee on Education.

House Bill No. 251, introduced by Sample and Green of Dawson: A Bill for an Act entitled: "An Act to amend Section 8813 of the Revised Codes of Montana of 1921, relating to the number of district judges in each judicial district of the State." Referred to Committee on Judiciary.

House Bill No. 252, introduced by Abrahamson by request: A Bill for an Act entitled: "An Act for the purpose of protecting the public in the purchase of coal and coke and to that end regulating the sale and marketing of coal and coke within the State of Montana and providing penalties for the violation of the provisions of this Act." Referred to Committee on State Boards and Officers.

House Bill No. 253, by Committee on Revenue and Taxation at the request of the State board of Equalization: A Bill for an Act entitled: An Act to amend Sections 1 and 11 of Chapter 65 of the Eighteenth Legis-

lative Assembly of 1923, as amended by Chapter 150 of the Nineteenth Legislative Assembly of 1925, relative to tax on direct and collateral inheritances, requests and devises; defining clear market value; and relating to the apportionment of debts and exemptions as applied to estates located partly within and partly without Montana; and providing that the provisions of this Act shall apply to all estates of all decedents who have died since the first day of June, 1924, and which estates remain undistributed on the date when this Act takes effect, to the same extent and in the same manner as though this Act had been in full force and effect at the date of death of such decedents." Referred to Committee on Revenue and Taxation.

House Bill No. 254, introduced by Committee on Revenue and Taxation at the request of the State Board of Equalization: A Bill for an Act entitled: "An Act to amend Sections 3 and 13 of Chapter 65 of the Eighteenth Legislative Assembly of 1923, and Section 15 of Chapter 65 of the Nineteenth Legislative Assembly of 1925, relating to tax on direct and collateral inheritances, requests and devises; relating to the appointment of special appraisers; and providing for an estate tax on estates having a net or clear market value in excess of one million dollars." Referred to Committee on Revenue and Taxation.

House Bill No. 255, introduced by Johnson: A Bill for an Act entitled: "A Bill to amend Section 4058 of the Revised Codes of Montana, 1921, defining real estate broker." Referred to Committee on Ways and Means.

House Bill No. 256, introduced by Holton, Nelstead, Dellwo and R. A. Bill for an Act entitled: "A Bill for an Act accepting the grant of numbered school sections mineral in character as made by an Act of Congress approved January 25, 1927." Referred to Committee on Federal Relations.

House Bill No. 257, introduced by Cooney: A Bill for an Act entitled: "An Act to amend Section 12275 of the Revised Codes of the State of Montana of 1921, relating to procedure against delinquent children and juvenile delinquent persons." Referred to Committee on Education.

House Bill No. 258, introduced by Cooney: A Bill for an Act entitled: "An Act in appreciation of the heroic pioneers of Montana, to commemorate their public services by creating a memorial home for Montana pioneer residents of the State of Montana, who arrived in the Territory thereon or before the 31st day of December, 1868; creating and establishing said memorial and providing a board of managers therefor and for the organization thereof, and providing for the site thereof out of the Bratt ranch belonging to the State Farm at Deer Lodge, Montana, and for the use of convict labor and State manufactured materials in the construction of the necessary buildings and in the improvement of the grounds of said memorial; providing a small tax levy for its support and maintenance which, together with other moneys designated, shall be kept by the State Treasurer, for the support and maintenance of such home; and providing an appropriation whereby such home may be established without delay." Referred to Committee on Revenue and Taxation.

House Bill No. 259, introduced by Bricker, et al: A Bill for an Act entitled: "An Act relating to the taxation of lands acquired by the State under mortgage foreclosure proceedings or by way of deed and sold by the State under contract." Referred to Committee on Revenue and Taxation.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:00 A. M., Friday, February 11, 1927.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

FORTIETH DAY

House of Representatives,
Helena, Montana, February 11, 1927.

House convened, pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all members present except: Fulsher, excused on account illness; Hagerty, excused by Speaker.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the thirty-ninth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 244, introduced by Burns, respectfully report as follows: That House Bill No. 244 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under reconsideration House Bill No. 106, introduced by Benjamin, respectfully report as follows: That House Bill No. 106 do pass.

CLARKE, Chairman."

On motion of Clarke, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Joint Resolution No. 4, introduced by Committee on Agriculture, respectfully report as follows: That Senate Joint Resolution No. 4 be concurred in.

BUDAS, Vice-Chairman."

On motion of Budas, report adopted.

Printing Committee reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 69, 177, 183, 188, 193, and 204 as correctly printed.

COONEY, Chairman."

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 61, 124, 158, 182 and 184.

GREEN of Dawson, Chairman."

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first time by title, second time at length and referred to Appropriations Committee:

House Bill No. 260, introduced by Kroman: A Bill for an Act entitled: "An Act appropriating money for the payment to Custer County Free High School of Custer County, Montana, for expenses incurred and being incurred in furnishing high school training and education to State charges and inmates of the Montana State Industrial School."

House Bill No. 265, introduced by Reed and Bricker: A Bill for an Act entitled: "A supplementary appropriation bill appropriating money to build and equip a laboratory for the purpose of conducting experiments and other work for the control of Rocky Mountain spotted fever and insect-borne diseases."

House Bill No. 269, by Moss, Dellwo, Bricker, Jones of Phillips, Leavitt and Foot: A Bill for an Act entitled: "An Act to appropriate money for the payment of a claim of Robert Fleming as compensation to him for expenses, loss of time and injury, caused by loss of an arm in the course of his employment as a Special Deputy Sheriff of Flathead County, Montana."

The following bills were introduced, read first and second time by title only and referred to standing committees:

House Bill No. 261, introduced by Leavitt: A Bill for an Act entitled: "An Act to amend Section 10212, Section 10213, and Section 10220 of the Revised Codes of Montana, 1921, relating to the sale of real estate and the contracts for the purchase of lands in probate proceedings; providing for the issuance of an order of persons interested to appear; the manner of service thereof, the giving of the notice of sale and contents thereof and repealing all Acts and parts of Acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 262, introduced by Thorburn, and Kroman, by request: A Bill for an Act entitled: "An Act to amend Sections 3125 and 3124 of the Revised Codes of Montana, 1921, being the medical practice Act of Montana and relating to the duties of the Medical Examining Board and fees of applicants and persons licensed to practice medicine and to compensation and mileage of members of the Medical Examining Board of the State of Montana." Referred to Committee on State Boards and Officers.

House Bill No. 263, introduced by Gustafson: A Bill for an Act entitled: "An Act fixing the license of milk or cream buying or collecting stations; regulating the floor space and heating arrangements of such stations; providing penalties for the violation of this Act and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Dairying.

House Bill No. 264, introduced by Knight, Budas, Miller of Lincoln, Woodcock, Sutton, and Jones of Ravalli: A Bill for an Act entitled: "An Act to amend Sections 1116, 1117, 1118, 1125, 1126 and 1127 of Chapter 88 of the Revised Codes of Montana, of 1921, relating to the creating of funds in the State Treasury to provide for the retirement of public school teachers and providing for the custody, management, investment and distribution of such funds and to amend said Chapter 88 of the Revised Codes of Montana of 1921, by adding a new section thereto to be known as Section 1116-1 providing for penalties for the failure of the clerk of the school district to perform the duties imposed upon him by said Act." Referred to Committee on Education.

House Bill No. 266, introduced by Plank, Tinsley and Bonine: A Bill for an Act entitled: "An Act to amend Section 4814 of the Revised Codes of Montana of 1921 as amended by Chapter 2 of the Laws of the Nineteenth Legislative Assembly, relating to the annual reports of County Clerks." Referred to Committee on Townships and Counties.

House Bill No. 267, introduced by Committee on Agriculture: A Bill for an Act entitled: "An Act authorizing County Commissioners to appropriate money for the purpose of advertising the resources of the county and to assist the Department of Agriculture in presenting exhibits of Montana products at fairs or expositions outside the State of Montana, and repealing Sections 4470a and 4470b, Revised Codes of Montana of 1921." Referred to Committee on Agriculture.

House Bill No. 268, introduced by Clausen: A Bill for an Act entitled: "An Act to amend Sections 5259, 5260, 5161, 5268, 5269 and 5171, Revised Codes of Montana of 1921, and further amending Section 5266, Revised Codes of Montana of 1921, as amended by Chapter 17, Laws of the Eighteenth Legislative Assembly of the State of Montana, all relating to the creation of special improvement districts for lighting streets in cities and towns and providing a method for assessing said lighting districts." Referred to Committee on Affairs of Cities.

House Bill No. 270, introduced by Logan: A Bill for an Act entitled: "An Act regulating the sale of goods, wares, merchandise, furniture, fixtures and other chattels in bulk, making provisions for the protection of the vendors of the vendor and amending Sections 8607, 8608, 8609, and 8610 of the Revised Codes of Montana of 1921." Referred to Committee on Judiciary.

House Bill No. 271, introduced by Benjamin: A Bill for an Act entitled: "An Act to authorize County Commissioners to invest monies under the control of the county in county warrants and prescribing the duties of the County Commissioners, County Clerk and County Treasurer in connection herewith." Referred to Committee on Townships and Counties.

House Bill No. 272, introduced by Curran by request: A Bill for an Act entitled: "An Act relating to the custody of children; regulating the assignment of such custody; requiring the approval thereof by the District Court; defining terms used in the Act providing penalties for the violation of this Act and repealing all Acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 273, introduced by Curran, by request: A Bill for an Act entitled: "An Act relating to the making of certain reports to the Bureau of Child and Animal Protection; defining terms used in this Act; providing penalties for the violation of this Act and repealing all Acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 274, introduced by Livestock and Public Ranges Committee: A Bill for an Act entitled: "An Act to amend Section 5175 of the Revised Codes, relating to impounding animals by incorporated cities and towns, and the sale of the same." Referred to Livestock and Public Ranges Committee.

House Bill No. 275, introduced by Livestock and Public Ranges Committee: A Bill for an Act entitled: "An Act relating to the protection of bear and declaring a closed season thereon." Referred to Committee on Livestock and Public Ranges.

House Bill No. 276, introduced by Donaldson: A Bill for an Act entitled: "An Act creating and establishing a department of the State of Montana to be known and designated as the Department of Purchases, Audits and Accounts; making the State Board of Examiners, the State Purchasing Department and the office of the State Accountant parts of such department; dividing such departments into three divisions to be known as the Division of Purchases, Division of Audits and Division of Accounts; providing for a centralized accounting system for the State of Montana and all of its offices, departments, bureaus, commissions, boards, institutions, and agencies as a part of the division of accounts; prescribing the powers, authority and duties of such department and of each of the divisions thereof and abolishing the office of State Purchasing Agent." Referred to Committee on State Boards and Officers.

House Bill No. 277, introduced by Committee on Agriculture, by request: A Bill for an Act entitled: "An Act providing for the formation of weed control districts, the naming of weeds to be considered noxious within said districts, the appointment of weed inspectors, penalties for violation, permitting the County Commissioner to create a fund for control of weeds on highways and public lands within weed districts, providing for the vacation of weed districts under certain conditions, and repealing Sections 4508, 4509, 4510, 4511, 4512 and 4513 of the Revised Codes of Montana, 1921, and Chapter 60 of the Acts of the Eighteenth Legislative Assembly of the State of Montana." Referred to Committee on Agriculture.

Senate Bill No. 35, by Church: "An Act providing for filing for record of cooperative association marketing agreements; the effect of such filing for record on the title and possession of the product covered thereby; the right of such association to hypothecate, transfer or assign such agreement; and providing the manner of execution, recording, recording fees, rights and obligations of all parties in interest." Referred to Committee on Livestock and Public Ranges.

Senate Bill No. 45, by Committee on Livestock and Grazing: "An Act defining the powers of State Stock Inspectors, inspecting livestock on removal from one county to another within the State of Montana; authorizing the seizure and sale of such livestock under certain conditions and providing for the disposal of the proceeds thereof." Referred to Committee on Livestock and Public Ranges.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that the Sergeant-at-Arms be instructed to have chairs here for the Lincoln's birthday program; the expenses of such hauling to be paid out of the incidental expenses of the session.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Governor's office:

Helena, Montana, February 10, 1927.

The Speaker, House of Representatives,

Helena, Montana.

"I have the honor to advise you that I have this day approved House Bill No. 58, authorizing the Historical Society of Montana to adopt and use a seal and designating the design of said seal.

J. E. ERICKSON, Governor."

THIRD READING OF SENATE BILLS

Senate Bill No. 25, introduced by Pauline, by request, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benson, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Fachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Kroman, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Adair, Benjamin, Barry, Cavanaugh, Cooney, Fulsher, Hagerty, Kelly, Knowles, Lamb, McLeod, Murphy, Plumer, Reed, Waite, Willard. Total—16.

Senate Bill No. 30, introduced by Committee on Education, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burn, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly Knight, Kroman, Larson, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—91.

Noes: None.

Absent and not voting: Barry, Cavanaugh, Fulsher, Hagerty, Knowles, Lamb, Merritt, Murphy, Rockwood, Waite, Willard. Total—11.

THIRD READING OF HOUSE BILLS

Senate Amendments to House Bill No. 30, introduced by White and Fulsher, having been read three several times, title and history agreed to, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holman, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—95.

Noes: None.

Absent and not voting: Dellwo, Dougherty, Fulsher, Hagerty, Plumer, Rognlien, Waite. Total—7.

House Bill No. 61, introduced by Abrahamson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dunn, Erickson, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holman, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—91.

Noes: Foot, Flachsenhar, McLeod, Rockwood. Total—4.

Absent and not voting: Dougherty, Fulsher, Hagerty, Jones (Phillips), Knowles, Moss, Mulholland. Total—7.

House Bill No. 124, introduced by Stambaugh, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Curran, Darlington, Dellwo, Donaldson, Doran, Erickson, Foot, Flachsenhar, Goodwin, Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—92.

Noes: None.

Absent and not voting: Barry, Cheadle, Cooney, Dougherty, Dun Fulsher, Green (Fergus), Hagerty, Holton, White. Total—10.

House Bill No. 158, introduced by Cheadle, Green of Fergus, Miller of Fergus, and Moulton, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Besancon, Bonine, Bretzke, Brown, Budas, Burke, Burns, Chatham, Clarke, Clausen, Cooney, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Fergus), Green (Dawson), Gustafson, Hardecastle, Harris, Hodgskiss, Holton, Jameson, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—87.

Noes: Cavanaugh. Total—1.

Absent and not voting: Arnold, Barry, Bricker, Cheadle, Curran, Fulsher, Goodwin, Hagerty, Jensen, Logan, Moulton, Prescott, Shields, Throssel. Total—14.

House Bill No. 182, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardecastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Troy, Waite, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—91.

Noes: Tinsley, Besancon. Total—2.

Absent and not voting: Doran, Fulsher, Hagerty, Holton, Logan, Nelstead, Rorvik, Tierney, White. Total—9.

House Bill No. 184, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Adair, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—92.

Noes: Abrahamson. Total—1.

Absent and not voting: Akofer, Barry, Fulsher, Hagerty, Hardecastle, Knowles, Logan, Ryder, Shields. Total—9.

SPECIAL ORDER

CONSIDERATION OF GENERAL ORDER OF BUSINESS WITH
RESPECT TO HOUSE BILL NO. 157

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for further consideration of General and Special Order of Business with respect to House Bill No. 157, under same rules as previous sitting.

Mr. Flachsenhar in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration, House Bill No. 157, respectfully report as follows: That House Bill No. 157 be amended as follows:

Section 11: By striking out in line 8, after the word "time" of printed bill, the words "or to", and inserting in lieu thereof the word "and"; by striking out in line 9 of printed bill, after the word "age" the word "who."

Section 12: By inserting after the word "bears," in line 21 of printed bill, the words "or other means of taking stock killing bears except the time of the dead fall, providing, however, that traps shall be inspected twice each day, which inspection shall be twelve hours apart."

Section 13: On page 12 of printed bill, by inserting in lieu of the word "commission", the following: "except the Highwood National Forest Game Preserve, which the State Game and Fish Commission may open, for a limited season, for the hunting of game as in its judgment is warranted, and to provide necessary rules and regulations governing such limited open season." By striking out in line 54 of printed bill, the words and figures "October, Fifteen (15th)" and inserting in lieu thereof the words and figures "September Twentieth (20th)."

Section 16: By striking out in line 13 of printed bill, after the word "than" the words and figures "twenty-five (25)" and inserting in lieu thereof the words and figures "twenty (20)."

Section 17: By inserting in line 27, page 16 of the printed bill, immediately following the word "to," the word "wilfully."

Section 18: By inserting in line 5, page 16 of printed bill, after the word "seines," the following "except as provided in Section 12 of this Act."

On motion Committee arose and reported progress with leave to sit again.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

Moved by Bricker, duly seconded and carried that the House recess until 3:30 P. M.

AFTERNOON SESSION

House resumed at 1:30 P. M.

Mr. Speaker in the chair.

SPECIAL ORDER

CONSIDERATION OF GENERAL ORDERS WITH RESPECT TO
HOUSE BILL NO. 157

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for further consideration of

Special and General Order of Business with respect to House Bill No. 157, under the same rules as previous sitting.

Mr. Flachsenhar in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 157, respectfully report as follows: That House Bill No. 157 be amended as follows:

Section 9: By adding in line 42, of printed bill, after the word "license," the words "Provided, however, that no license shall be required from owners or lessors who are actual residents, for trapping muskrats on their own premises."

Section 13: By striking out in line 19, of printed bill, after the word "Game Commission," the words and figures "Number (1)."

Section 16: As a substitute amendment to amendment adopted at previous sitting for this section; strike out the words and figures "Twenty (20)" and insert in lieu thereof the words and figures "Fifteen (15)."

Section 17: By striking out in lines 26 and 27 of printed bill, the word "reason" and inserting in lieu thereof the word "person."

Section 18: By striking out in line 1 of printed bill, the figures 372 and inserting in lieu thereof the figures 3714.

Section 19: By striking out lines 19, 20, 21, 22, 23, 24, of printed bill and in line 34 strike out the words "One Dollar"; and in line 35 the figures "1".

By adding another section thereto, to be known as Section 32; to read as follows: That Section 3670 of the Revised Codes of 1921 be amended to read as follows: Section 3670. State Fish and Game Fund—All sums collected or received from the sale of hunting and fishing licenses or permits from the sale of seized game or hides, or from fines, damages collected for violations of the fish and game laws of this state, from appropriations, or received by the commission from any other source, shall be turned over to the State Treasurer, and placed by him in a special fund known and designated as the "State Fish and Game Fund"; provided that out of any fines imposed by a court for the violation of this act, the costs of prosecution shall be paid to the county where the trial was held in any case where the fine is not imposed in addition to the costs of prosecution. Said fund is hereby exclusively set apart and made available for the payment of all salaries, per diem, fees, expenses and expenditures of every source and kind whatsoever, authorized to be made by the State Fish and Game Commission under the terms of this Act, and said fund shall be expended for any and all such purposes, by said Commission subject to the proper audit and allowance by the State Board of Examiners and by appropriation by the Legislative Assembly at each session.

That the title be amended by inserting after the figures..... figures 3670;

And that as so amended said House Bill No. 157 do pass.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

SPECIAL ORDER

CONSIDERATION OF GENERAL ORDERS WITH RESPECT TO SENATE BILL NO. 1

Moved by Bricker, duly seconded and carried, that the House now solve itself into Committee of the Whole for consideration of Special

General Order of Business, set for 2:00 P. M., with respect to Senate Bill No. 1, under the rules of previous sitting.

Mr. Troy in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 1, respectfully report as follows: That the acting clause be stricken from Senate Bill No. 1.

TROY, Chairman."

On motion of Troy, report adopted.

At the request of Bricker, there being no objections, House reverted to order of business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 227, by Jones of Ravalli, respectfully report as follows: That House Bill No. 227 do not pass, but that Substitute for House Bill No. 227, by Judiciary Committee; A Bill for an Act entitled: An Act to amend Section 439 of the Revised Codes of Montana of 1921, as amended by Chapter 124 of the Session Laws of the Nineteenth Legislative Assembly, Providing for salaries of janitors, watchmen and engineers of the State Capitol, and providing for the salary of a carpenter employed at the State Capitol," do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 163, by the Appropriations Committee, respectfully report as follows: That House Bill No. 163 be re-referred to the Appropriations Committee.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 230, introduced by Adair and Jameson, respectfully report as follows: That House Bill No. 230 do not pass.

CLARKE, Chairman."

On motion of Clarke, report adopted.

"Mr. Speaker: We, the majority of your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 31, introduced by Paul, respectfully report as follows: That Senate Bill No. 31 be concurred in.

BRICKER,
COONEY,
BRETZKE,
ADAIR,
McCLEARY,
DORAN,
JONES of Phillips,
DONALDSON,
JAMESON,
FLACHSENHAR."

"Mr. Speaker: We, the minority of your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 31, introduced

by Paul, respectfully report as follows: That Senate Bill No. 31 not concurred in.

HOLTON,
ROCKWOOD,
RYDER,
BENJAMIN,
BURKE,
SUTTON."

Moved by Bricker, duly seconded and carried that the Majority report be adopted.

"Mr. Speaker: We, your Committee on State Institutions, having had under consideration House Bill No. 218, by Flachsenhar, Logan and Besarcon, respectfully report as follows: That House Bill No. 218 do not pass but that Substitute for House Bill No. 218 by Committee on State Institutions: A Bill for an Act entitled: "An Act relating to contracts for the construction of buildings or the alteration, repair and improvement of buildings and grounds on behalf of and for the benefit of the State advertising for bids, awarding contracts and prohibiting the cost plus system or principle," do pass.

ARNOLD, Chairman."

On motion of Arnold, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Substitute for House Bills Nos. 49 and 59 by Committee on Townships and Counties, respectfully report as follows: That Substitute House Bills Nos. 49 and 59 be amended as follows: By striking out all of lines 25 to 37, both inclusive, and by inserting in lieu thereof, the following: "Upon payment of the first installment, the County shall execute a Deed of Conveyance for said land to the purchaser thereupon the purchaser shall execute to the County, promissory notes evidencing the deferred payments of the purchase price, and for the purpose of securing the payment of said notes with interest, the purchaser shall concurrently with the execution of said notes, execute a mortgage to the County on said lands so sold. The purchaser shall also execute, in favor of the County, a Deed of Conveyance of said land, said deed to be placed in escrow with the provision that if the purchaser shall make default in the payments of any of said notes, or the interest to become due thereon, or any of the terms of said mortgage, the said County may, at its option, accept delivery from the escrow agent of said Deed in full settlement of the obligation then due or the County may proceed to foreclose said mortgage as is provided by law," and when so amended, the bill do pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Substitute House Bill No. 85, by Besancon, respectfully report as follows: That Substitute House Bill No. 85 be amended as follows: By striking out in lines 19 and 20 the words: "the whole of the assessment remaining unpaid shall become delinquent and shall be included in such certificate." And by inserting in lieu thereof the following: "the amount of such delinquent installment shall be included in such certificate, provided, however, that if the city or town council, by the adoption of an appropriate resolution shall declare the whole of the assessment remaining unpaid to be delinquent, as provided in Section 5251, Revised Codes 1921, then the whole of the assessment remaining unpaid shall be included in such certificate." And that said bill when so amended, do pass, and that it be placed on General Orders without reprinting.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Petroleum, Oil and Gas Affairs, having had under consideration House Bill No. 187, by Cooney and

rnold, respectfully report as follows: That House Bill No. 187 do pass.
MOULTON, Chairman."

On motion of Moulton, report adopted.

"Mr. Speaker: We, your Committee on Petroleum, Oil and Gas Affairs, having had under consideration House Bill No. 190, by Petroleum, Oil and Gas Affairs Committee, respectfully report as follows: That House Bill No. 190 be amended as follows:

1. In Section 6, page 3, line 1, after the word "bond" add the following: "together with such proof of qualification as may be required by the State Board of Land Commissioners."

2. In Section 9 (a) insert after the word "Commissioners" in line the following "not oftener than every thirty days."

3. In Section 10, page 5, line 5, transpose the words "oil royalty."

4. In Section 11, page 6, line 10, after the words "off-set" insert the words "oil or gas." In line 13, after the word "of" add the words "oil or gas."

5. Strike all of Section 14 and substitute the following: "Section 14: All existing oil and gas leases heretofore executed by the Register of State Lands on behalf of the State of Montana are hereby ratified, confirmed, and approved, provided; that the holder of any such lease shall, within ninety days from the date this act goes into effect, file in the office of the Register of State Lands consent in writing to the amendment of such lease to contain a reservation to the State of the right at all times to take and receive its royalties in money or kind in accordance with the provisions of Section 9 of this Act, and failure or refusal of the holder of any such lease to file such consent within such time shall automatically deprive such lease of all of the benefits conferred by this section. And as amended, the bill do pass.

MOULTON, Chairman."

On motion of Moulton, report adopted.

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 275 introduced by the Committee on Livestock and Public Ranges, respectfully report as follows: That House Bill No. 275 do pass.

LEAVENS, Chairman."

On motion of Leavens, report adopted.

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 274, by Committee on Livestock and Public Ranges, respectfully report as follows: That House Bill No. 274 do pass.

LEAVENS, Chairman."

On motion of Leavens, report adopted.

At the request of Holton, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Holton, duly seconded and carried, that the House reconsider its action on House Bill No. 190.

Moved by Holton, duly seconded and carried, that House Bill No. 190 be referred to Committee on State Lands.

Committee on Printing reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 145, 146, 150 and Substitute for H. B. No. 42, as correctly printed.
COONEY, Chairman."

Committee on Engrossing reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 50 and 155.
GREEN of Dawson, Chairman."

Committee on Enrolling, report as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 9 and 30.
WAITE, Chairman."

The Speaker gave notice that he was about to sign House Bills Nos. 9 and 30, and thereupon signed the same.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 7.

COMMUNICATIONS FROM GOVERNOR AND SENATE

The following communication was received from the Governor's office:

"Helena, Montana, February 11, 1927.

The Speaker, House of Representatives, Helena, Montana.

I have the honor to advise you that I have this day approved House Joint Resolution No. 2, ratifying an amendment to the Constitution of the United States granting to the Congress of the United States the power to limit, regulate and prohibit the labor of persons under eighteen years of age.
J. E. ERICKSON, Governor."

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communication from the Senate be considered read at length and the Journal so show.

"Helena, Montana, February 11, 1927.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 52, introduced by Committee on Roads and Highways, was this day read three several times, title and history agreed to and is herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of Senate."

"Helena, Montana, February 11, 1927.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 14, by Adair, was, on recommendation of the Committee on Education, not concurred in. Bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

"Helena, Montana, February 11, 1927.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times, title and history agreed to, concurred in, and are herewith transmitted to the House:

Sub. for House Bill No. 5, by Judiciary Committee.

House Bill No. 65, by Appropriations Committee.

Sub. for House Bill No. 32, by Judiciary Committee.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 11, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day given:

By Griffin: "A memorial to the Senate of the United States protesting against the enactment of House Calendar No. 240, S. 481 (Report No. 911 commonly known as the "Corn Sugar Bill".

By Spencer, Church, Cowan, Hazelbaker, Gilboe, Survant, McCon, Robert Brownlee, Johnson, Kennedy, E. A. Richardson.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 11, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committee this day reported as follows:

Committee on Stock Growing and Grazing, having had under consideration Substitute for Senate Bill No. 5, entitled: "An Act defining the duties of persons slaughtering or selling meat or the by-products of meat and bone; defining and providing for the licensing of butchers and meat packers; providing for the inspection and stamping of hides and meat and for the issuance and recording of certificates of inspection; providing fees for such inspection; designating exceptions from this Act; providing penalties for the violation of this Act, and repealing Chapter 75 of the Acts of the Eighteenth Legislative Assembly of Montana of 1923, and all other Acts in conflict herewith," reported and recommended that the same be amended as follows:

By striking out the words "butcher or" in line 25 and the words "or butchers" in line 27, and as amended the same be passed.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 11, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows: Afternoon session. Report adopted.

That S. B. No. 29 do pass.

That S. Sub. for S. B. No. 32 do pass.

That consideration of S. B. No. 43 be passed.

That S. B. No. 48 be amended in Section 1 by adding after the word "try" in line 16 of the printed bill the words "That part of"; and in line 17 of the printed bill after the word "improvement", the words "which is to be assessed against the property within the district", and that, as amended, same do pass.

That S. B. No. 49 do pass.

That S. B. No. 57 do pass.

That consideration of S. B. No. 62 be passed.

That consideration of S. B. No. 63 be passed.

That S. B. No. 69 do pass.

That S. B. No. 76 do pass.

That S. B. No. 77 do pass.

That S. J. Memorial No. 1 do pass.

That H. B. No. 68 be concurred in.

That H. B. No. 80 be concurred in.

That consideration of H. B. No. 64 be passed.

That consideration of H. B. No. 143 be passed.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 11, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees have this day reported as follows:

Committee on Judiciary report that S. B. No. 91, by Duncan by request, be submitted to the Roads and Highways Committee to be considered with a companion bill, Senate Bill No. 90.

Committee on Education report that H. B. No. 14 be not concurred in.

Committee on Public Morals report that S. B. No. 67 be amended as follows: Amend in line eleven (11) by striking out the word "Eighteen" (18) and substituting in lieu thereof the word "sixteen (16)", and as so amended, the bill do pass.

Committee on Roads and Highways report that S. B. No. 92 do pass.

Committee on Roads and Highways report that S. B. No. 83 do not pass.

Committee on Taxation report that S. B. No. 82 do not pass.
Committee on Taxation report that S. B. No. 72 do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 11, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, forenoon session, report and recommend as follows: Report adopted.

That S. J. R. No. 6 do pass.

That consideration of S. B. No. 17 be passed.

That S. B. No. 14 be amended in Section 1 by adding a line after line 21, reading "Trucks not over $\frac{1}{2}$ ton \$7.50," and, as so amended, the same do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 11, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that following bills were this day introduced, read first and second time and referred to the standing committees:

S. B. No. 95, by Porter: A Bill for an Act entitled: "An Act providing for a dormitory petty cash fund for any high school operating a dormitory and prescribing the method of handling such fund." Education.

S. B. No. 96, by Committee on Irrigation and Water Rights: A Bill for an Act entitled: "An Act relating to the qualifications of commissioners of irrigation districts, and to amend Section 7170 of the Revised Codes of Montana of 1921 and Section 7177 of the Revised Codes of Montana of 1921, as amended by Chapter 157 of the Laws of the Eighteenth Legislative Assembly of the State of Montana." Printing.

S. B. No. 97, by Eaton, Swift, Cowan, Smith: A Bill for an Act entitled: "An Act to amend Section 831, Revised Codes, 1921, relating to the appointment of members of the State Board of Education and providing regulations and restrictions for their appointment." Education.

S. B. No. 98, by Pauline: A Bill for an Act entitled: "An Act to abolish the State Fish and Game Commission and to transfer all of its powers and duties now conferred by law upon it to the Public Utilities Commission; providing that the Public Utilities Commission shall perform such duties and powers without additional compensation, repealing Sections 3651, 3652, as amended, and Section 3654 of the Revised Codes of Montana of 1921, and all Acts and parts of Acts in conflict herewith." Fish and Game.

S. B. No. 99, by Cowan: A Bill for an Act entitled: "An Act to amend Sections 918 and 921 of the Revised Codes of Montana of 1921 as amended by Chapter 66 of the Session Acts of the Nineteenth Legislative Assembly of Montana of 1925, relating to the control of the Northern Montana Agricultural and Manual Training School; creating an executive board for said institution and defining its powers and duties; establishing a special fund for the support of said school; authorizing the location of academic departments of said school at Havre, Montana; and repealing Section 4 of said Chapter 66 last aforesaid." Education.

S. B. No. 100, by Judiciary Committee: "A Bill for an Act entitled: "An Act fixing the annual compensation allowed to the official stenographer of the Supreme Court." Printing.

S. B. No. 101, by Hazelbaker, Dowlin and Sibbert: A Bill for an Act entitled: "An Act defining and providing for the abatement of certain nuisances; declaring barbed wire and other wire fencing a nuisance under certain circumstances; authorizing the Board of County Commissioners to abate such nuisances; providing for the sale of such wire and disposition of the proceeds thereof, and repealing all Acts in conflict herewith." Counties and Towns.

S. B. No. 102, by Goodman, by request: A Bill for an Act entitled: "An Act to amend Section 2713, Revised Codes of Montana of 1921, and Section 2726, Revised Codes of Montana 1921, as amended by Chapter 140 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana of 1923, relating to the inspection of boilers." Compensation.

S. B. No. 103, by Goodman, Buttleman and Garber, by request: A Bill for an Act entitled: "An Act to provide a method for the selection of school text books for public schools in the State of Montana, and repealing Sections 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, and 1200, of the Revised Codes of Montana of 1921, and Chapter 25 of the Laws of the Nineteenth Session of the Legislative Assembly of the State of Montana, 1925, which provide for the creation of a State Text Book Commission, and the compensation of the members thereof." Education.

S. B. No. 104, by Greenup: A Bill for an Act entitled: "An Act to amend Section 105 of the Revised Codes of Montana 1921, relating to the printing and distribution of initiative and referendum measures." Judiciary.

Respectfully,

J. F. CONE, Secretary of Senate."

The Speaker excused the Committee on Dairying from the Evening Session.

Moved by Bricker, duly seconded and carried, that the House recess until 7:30 P. M.

EVENING SESSION

House resumed at 7:30 P. M.

Mr. Speaker in the chair.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second time by title and referred to standing committees:

House Bill No. 278, introduced by Chatham, by request: A Bill for an Act entitled: "An Act to amend Section 4932 of the Revised Codes of Montana of 1921, providing for the fees of constables by adding thereto an additional paragraph providing for the payment of fees to constables in counties having over twenty-five thousand inhabitants." Referred to Committee on Judiciary.

House Bill No. 280, introduced by Arnold: A Bill for an Act entitled: "An Act amending Section 1039 of the Revised Codes of Montana, 1921, relating to the maintenance of schools in isolated sections; providing for hearing in case of appeal when necessary school facilities are not provided for as many as ten children; authorizing an additional levy, not in excess of ten mills, and providing for the removal of trustees for the second offense of neglect of responsibility." Referred to Committee on Education.

House Bill No. 281, introduced by Leavitt: A Bill for an Act entitled: "An Act to amend Section 10251 and Section 10252 of the Revised Codes of Montana, 1921, relating to the mortgage of real estate belonging to the estate of deceased persons; providing for the issuance of the order to show cause, the service of the said order, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 282, introduced by Leavitt and Kroman: A Bill for an Act entitled: "An Act to amend Section 1 and Section 2 and Section 4 of Chapter 154 of the Laws of the Eighteenth Legislative Assembly and Section 6 of Chapter 154 of the Laws of the Eighteenth Legislative Assembly, as amended by Chapter 103 of the Nineteenth Legislative Assembly, relating to the supervision and regulation of the transportation of persons and property for compensation over any public highway in the State of Montana motor vehicles, motor trucks, motor busses, bus trailer, semi-trailers and

other motor vehicles being operated as common carriers; defining what constitutes transportation for compensation; defining transportation companies, common carriers and other terms used in this Act; providing for the supervision and regulation thereof by the Railroad Commission of Montana, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 284, introduced by Larsen and Abrahamson: A Bill for an Act entitled: "An Act to amend Sections 8812 and 8813 Revised Codes of Montana 1921, relating to Judicial Districts and the number of judges therein." Referred to Committee on Judiciary.

House Bill No. 285, introduced by Stambaugh: A Bill for an Act entitled: "An Act to amend Section 3696 of the Revised Codes of Montana 1921, relating to the open season for elk." Referred to Committee on Fish and Game.

House Bill No. 286, introduced by Reed: A Bill for an Act entitled: "An Act providing for the establishment, maintenance and operation of a central accounting department and a centralized accounting system for the State of Montana and all its officers, departments, bureaus, institutions, boards and commissions and agencies providing for appointment of a State Accountant as head of such centralized accounting department and fixing, prescribed and defining the powers, and authority of the State Accountant, as head of such centralized accounting department in connection with the establishment, maintenance and operation of such department and system." Referred to Committee on Judiciary.

House Bill No. 287, introduced by Cheadle, by request: A Bill for an Act entitled: "An Act to amend Section 8829 of the Revised Codes of Montana of 1921 relating to original jurisdiction of District Courts." Referred to Committee on Judiciary.

House Bill No. 288, introduced by Nagle: A Bill for an Act entitled: "An Act to amend Section 10687 of the Revised Codes of Montana, 1921, relating to the perpetuation of testimony." Referred to Committee on Judiciary.

House Bill No. 289, introduced by Nagle: A Bill for an Act entitled: "An Act to amend Section 4944 of the Revised Codes of Montana, 1921, relating to witness fees." Referred to Committee on Judiciary.

House Bill No. 290, introduced by Jameson, Donaldson, Marshall and Nagle: A Bill for an Act entitled: "An Act to amend Section 850 of the Revised Codes of 1921, providing for the control of expenditures by the State Board of Examiners; providing for the letting of contracts, and approval of bonds, for buildings or improvements, and for auditing claims providing for the Board of Examiners conferring upon the Executive Board of the educational institutions power and authority to contract current expenses and to audit and pay and report bills for salaries or other expenses incurred in connection with said institutions; providing for conferring upon the executive boards power to purchase, construct and improve or repair buildings for dormitory, housing or boarding purposes, and for payment therefor by pledge of net rentals and income arising from any such buildings; providing for conferring upon executive boards the right to pledge funds or moneys which have been or now are perpetually appropriated for the support and endowment of said institutions and subject to approval of the State Board of Examiners to enter into contracts for the purchase of buildings or for the doing of such construction work, to borrow such sum as may be necessary and to issue negotiable coupon bonds, notes of other evidence of indebtedness payable out of pledges or appropriated funds providing the manner of sale of such bonds, notes or other evidence of indebtedness that shall be issued and the terms and conditions and the time during which such instruments shall run; providing for a pledge or income, profits and rentals arising from buildings constructed or from any other moneys, fees, or funds." Referred to Committee on State Boards and Officers.

House Bill No. 291, introduced by Foot by request: A Bill for an Act entitled: "An Act to amend Section 12075 of the Revised Codes of Montana, 1921, relating to indeterminate sentences." Referred to Committee on Judiciary.

House Bill No. 292 by Foot: A Bill for an Act entitled: "An Act to amend Section 3714 of the Revised Codes of Montana, 1921, as amended Chapter 162 of the Laws of the Nineteenth Legislative Assembly of the State of Montana relating to catching fish except with pole, line and hook, use of seines, licenses to use net, and penalties." Referred to Committee on Fish and Game.

House Bill No. 293, introduced by Larson and Sparling: A Bill for an Act entitled: "An Act prescribing the conditions under which a railroad, branch or spur situated in this State may be abandoned; prescribing the conditions to be complied with on the sale or lease of railroad property by a corporation holding the right of franchise of operating a train or trains and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Railroads and Transportation.

House Bill No. 294, introduced by Rockwood by request: A Bill for an Act entitled: "An Act providing that where a railroad has been negligent in causing injury or death at crossings the contributory negligence of the injured or deceased person is not to be bar to actions for personal injuries or wrongful death but may be considered by the jury in mitigation of damages." Referred to Committee on Judiciary.

House Bill No. 295, introduced by Jones of Phillips: A Bill for an Act entitled: "An Act to license dealers engaged in the sale of cigarettes, cigarette paper, cigars and tobaccos, fixing a license fee therefor in communities of over 5,000 population, and a license fee therefor in communities under 5,000 population, and providing penalties." Referred to Committee on Revenue and Taxation.

House Bill No. 296, introduced by Ryder: A Bill for an Act entitled: "An Act to amend Sections 10906, 10908, 10909 and 10910, Revised Codes of Montana, 1921, relating to the penalty for unfair discrimination in purchasing or selling commodities and products; defining what constitutes unfair discrimination in selling commodities and products, and defining the duty of the Attorney General in connection therewith." Referred to Committee on Ways and Means.

House Bill No. 297, introduced by Rorvik and Kroman: A Bill for an Act entitled: "An Act to amend Section 1116 of the Revised Codes of Montana of 1921 relating to the contribution to the teachers retirement permanent salary fund." Referred to Committee on Education.

House Bill No. 298, introduced by Cooney: A Bill for an Act entitled: "An Act to amend Section 9947, Revised Codes of 1921, so as to allow an appeal by either party in condemnation proceedings." Referred to Committee on Judiciary.

House Bill No. 299, introduced by Foot by request: A Bill for an Act entitled: "An Act defining vivisection and prohibiting the practice thereof." Referred to Committee on State Boards and Officers.

Senate Bill No. 52, introduced by Committee on Roads and Highways: "An Act to provide for the right to construct and maintain gas pipe lines along and under public roads and highways within the counties of the State of Montana." Referred to Highways Committee.

The following bills were introduced, read first time by title, second time at length and referred to Appropriations Committee:

House Bill No. 279, introduced by Arnold by request: A Bill for an Act entitled: "An Act appropriating money for the purpose of paying special improvement district taxes to the town of Columbus, Montana, by reason of assessments against certain lots distributed and decreed to certain institutions of the State of Montana by reason of the provisions of the last will and testament of Eliza Labey Norton."

House Bill No. 283, introduced by Moss, Dellwo, Nelstead, Miller and Lincoln: A Bill for an Act entitled: "An Act appropriating money for the payment of certain obligations incurred on behalf of the State Forest Department on account of fire suppression during the years 1919, 1920 and 1926, under cooperative agreements with the United States Forest Service and the Northern Montana Forestry Association."

The following resolutions were introduced, read first time by title, second time at length and referred to standing committees:

House Joint Resolution No. 8, introduced by Cheadle: "Joint resolution requesting the appointment of a commission by the Governor of the State of Montana consisting of three citizens of the State of Montana for the purpose of considering, revising and amending the laws of the State of Montana relative to juvenile delinquents as found in Chapter 51 of the Revised Codes of Montana of 1921, and Chapter 52 of the Session Law of the Eighteenth Legislative Assembly of the State of Montana." Referred to Committee on Judiciary.

House Joint Resolution No. 9, by Committee on Public Morals, Charities and Reforms: "A resolution providing for a proclamation from the Governor of the State of Montana each year declaring that the Sunday preceding the fourth of July (or on the Fourth of July, when it falls on a Sunday) be dedicated to religious patriotic services." Referred to Committee on Public Morals, Charities and Reforms.

House Joint Resolution No. 10, introduced by Nelstead, Johnson, Holm, Bricker and Harris: "A resolution requiring the Board of Railroad Commissioners of the State of Montana to assemble and compile proper data and information showing the mineral and oil and gas resources of the State of Montana, and the oil and gas structures therein, and the mineral lands, areas, and content thereof, in said State, and report thereon to the Twenty-first Legislative Assembly." Referred to Committee on Conservation and Natural Resources.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House do resolve itself into Committee of the Whole for consideration of General Orders, under same rules as previous sitting.

Mr. Marshall in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration, Senate amendments to House Bills Nos. 117, 118, 119 and House Bills Nos. 197, 142, 199, House Resolution No. 5, House Bills Nos. 167, 185, 194, 96, 140, 123, 141, 156, respectfully report as follows:

That Senate amendments to House Bill No. 117 be concurred in.

That Senate amendments to House Bill No. 118 be concurred in.

That Senate amendments to House Bill No. 119 be concurred in.

That House Bill No. 197 be amended as follows:

The Title: By striking out in line 4 the word "and", after the word "Laws" and before the word "The" and adding after the word "Commissioner" the words "and Fire Marshal", and that as so amended, said House Bill No. 197 do pass.

That House Bill No. 199 do pass.

That House Resolution No. 5 do pass.

That consideration of House Bill No. 142 be passed for the time.

That consideration of House Bill No. 167 be passed for the time.

That House Bill No. 185 do pass.

That House Bill No. 194 do pass.

That consideration of House Bill No. 96 be passed for the time.

That consideration of House Bills Nos. 140, 123 and 141 be passed for time.

That House Bill No. 156 do pass.

MARSHALL, Chairman."

On motion of Marshall, report adopted.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried that House Bills Nos. 117, 118 and 119 be considered correctly engrossed and place on Third Reading:

At the request of Bricker, there being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

House Bill No. 50, introduced by Committee on Banks and Banking, having been read three several times, title and history agreed to was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Barry, Egancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Doran, Dunn, Erickson, Flachsenhar, Foot, Goodwin, Green (Dawson), Hardcastle, Harris, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knowles, Kroman, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Ryder, Sample, Stambaugh, Thorburn, Throssel, Waite, Warren, Willard, Woodcock, Mr. Speaker. Total—76.

Noes: Lamb, Rorvik, Sparling, Tinsley, Troy. Total—5.

Absent and not voting: Benson, Brown, Dellwo, Donaldson, Dougherty, Fulsher, Green (Fergus), Gustafson, Hagerty, Hodgskiss, Jones (Ravalli), Knight, Larson, Merritt, Nelson, Shields, Steeves, Sutton, Tierney, Westlake, White. Total—21.

House Bill No. 155, introduced by Cavanaugh, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Barry, Egancon, Bricker, Bonine, Bretzke, Budas, Burke, Burns, Cavanaugh, Clarke, Cheadle, Clausen, Cooney, Curran, Darlington, Doran, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Dawson), Hardcastle, Harris, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Thorburn, Throssel, Tinsley, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—76.

Noes: McCleary.

Absent and not voting: Benson, Brown, Chatham, Dellwo, Donaldson, Dougherty, Fulsher, Green (Fergus), Gustafson, Hagerty, Hodgskiss, Jones (Ravalli), Knight, Knowles, Kroman, Larson, Merritt, Nelson, Ryder, Shields, Steeves, Sutton, Tierney, Troy, Westlake. Total—25.

Senate amendments to House Bill No. 117, introduced by Bricker and Egancon, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Barry, Egancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Doran, Dunn, Foot, Flachsenhar, Goodwin, Green (Dawson), Hardcastle, Harris, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Thorburn, Throssel, Tinsley, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—76.

senhar, Green (Dawson), Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Sparling, Stambaugh, Thorburn, Thross, Tinsley, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—

Noes: None.

Absent and not voting: Benson, Brown, Cavanaugh, Dellwo, Donaldson, Dougherty, Erickson, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jones (Ravalli), Knight, Knowles, Merritt, Nelson, Shields, Sutton, Steeves, Tierney, Troy, Westlake. Total—

Senate amendments to House Bill No. 118, introduced by Bricker and Besancon, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Doran, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Dawson), Harris, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moss, Mulholland, Murphy, Nagle, Nelstead, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Thorburn, Thross, Tinsley, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—

Noes: None.

Absent and not voting: Benjamin, Benson, Brown, Dellwo, Donaldson, Dougherty, Fulsher, Green (Fergus), Gustafson, Hagerty, Hardcastle, Hodgskiss, Jones (Ravalli), Knight, Merritt, Moulton, Nelson, Nicholson, Ryder, Shields, Steeves, Sutton, Tierney, Troy, Westlake. Total—25.

Senate amendments to House Bill No. 119, introduced by Bricker and Besancon, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Barr, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Doran, Dunn, Foot, Flachsenhar, Goodwin, Green (Dawson), Hardcastle, Harris, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moss, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Thorburn, Throssel, Tinsley, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Benson, Brown, Dellwo, Donaldson, Dougherty, Erickson, Fulsher, Green (Fergus), Gustafson, Hagerty, Hodgskiss, Jones (Ravalli), Knight, Merritt, Moulton, Nelson, Sample, Shields, Steeves, Sutton, Tierney, Troy, Westlake. Total—23.

At the request of Bricker, there being no objections, House reverted to Order of business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second time by title and referred to Committee on Ways and Means:

House Bill No. 300, introduced by Harris: A Bill for an Act entitled "An Act to amend Section 103 of the Revised Codes of Montana of 1921 relating to the certification, entitling, and numbering of initiative and referendum measures; the printing of same on the official ballot and repealing all Acts and parts of Acts in conflict herewith."

At the request of Bricker, there being no objections, House reverted to order of Business No. 1.

COMMUNICATIONS AND PETITIONS

The following communication was read by the clerk:

Pierre, South Dakota, February 8, 1927.

Chief Clerk, House of Representatives,
Helena, Montana.

Dear Sir: Enclosed find copy of House Concurrent Resolution No. 2, memorializing your State Legislature to enact legislation authorizing school districts of your State to pay the tuition of pupils in attendance in school districts of the State.

Will You kindly refer this resolution to your Committee on Education.

Yours very truly,

WRIGHT TARBELL, Chief Clerk."

A concurrent resolution memorializing the Legislature of the State of Montana to enact legislation authorizing school districts of that State to pay the tuition of pupils in attendance in school districts of the State.

Be It Resolved by the House of Representatives of the State of South Dakota, the Senate Concurring:

WHEREAS, Under the laws of the State of South Dakota, viz., Section 517 of the 1919, Revised Codes of South Dakota as amended by Chapter 14 of the Session Laws of South Dakota for the year 1921, as amended by Chapter 155 of the Session Laws of the State of South Dakota for the year 1925, pupils who have successfully completed the work of the eighth grade and who hold a common school diploma are privileged to continue their school work up to and including the twelfth grade without the payment of tuition by attending any public high school or state educational institution outside of the state as well as inside of the state and such tuition is paid by the home district of such pupil, and

WHEREAS, The State of Montana has no law permitting this to be done and pupils residing in the State of Montana are not privileged to attend public high schools or state institutions in the State of South Dakota at the expense of the home district, and

WHEREAS, There have been and are numerous instances in which pupils who are residents of the State of South Dakota have found it advantageous to be able to attend a public high school or state educational institution within the State of Montana and have so attended the same under the provisions of the law above referred to, and

WHEREAS, There are now a number of pupils who are residents of the State of Montana who find it advantageous, by reason of convenience of location of schools or otherwise, to attend and who actually have been and are attending public high schools or other state educational institutions within the State of South Dakota, but who are under the provisions of the present Montana law, compelled to pay their own tuition, thereby imposing upon them a burden which would not exist if a statute was enacted by the State of Montana similar to the statute now in force in South Dakota, and

IT IS THEREFORE RESOLVED, That the Legislature of the State of Montana, now in session, should be urged to enact suitable legislation enabling pupils holding common school diplomas in the State of Montana to continue their work up to and including the twelfth grade by attending any public high school or state educational institution of an adjoining state as well as within the State of Montana, and that such tuition be paid by the home district of such pupil, and

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the Senate and House committees of the Montana Legislature dealing with the subject of Education and that said committees or either of them be

urged to prepare a suitable and appropriate measure and that said committees present the same to the respective bodies of said Legislature with the recommendations that the same be enacted."

R. F. WILLIAMSON,
Speaker of the House.

WRIGHT TARBELL,
Chief Clerk.

H. E. COVEY,
President of the Senate.

W. J. MATSON,
Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:30 A. M., Saturday, February 12, 1927.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

FORTY-FIRST DAY

House of Representatives,
Helena, Montana, February 12, 1927.

House convened, pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all members present, except: Fulsher, excused on account of illness; Hagerty, excused; Knight, absent.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fiftieth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Public Safety, having had under consideration, House Bill No. 237, introduced by Willard, respectfully report as follows:

That House Bill No. 237 be amended as follows:

In Section 20, by striking out in lines 15 and 16 the words, "which statement shall be approved by the County Commissioners", and,

In Section 20, on page 9, in lines 4 and 5 and 6, by striking out the words "and the amount of these assistants shall receive shall not exceed 75% of the amount received for license fees in that county", and, as amended that said bill do pass.

CLAUSEN, Chairman."

On motion of Clausen, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 266, introduced by Plank, Tinsley Rife, Bonine, respectfully report as follows: That House Bill No. 266 be printed and placed on General Orders.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means, having had under consideration, House Bill No. 255, introduced by Johnson, respectfully report that House Bill No. 255 do pass.

TROY, Chairman."

On motion of Troy, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 247, introduced by White, Leavens and Jones of Cascade, respectfully report as follows: That House Bill No. 247 do pass.

TROY, Chairman."

On motion of Troy, report adopted.

"Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Joint Resolution No. 9 by Committee on Public Morals, Charities and Reforms, respectfully report as follows: That House Joint Resolution No. 9 do pass.

WILLARD, Chairman."

On motion of Willard, report adopted.

Committee on Printing reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 83, 95, 116, 175, 179, substitute for House Bill No. 12 and House Joint Resolution No. 5 as correctly printed.

COONEY, Chairman."

MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 123 be taken from General Orders and re-referred to Committee on Education.

Moved by Bricker, duly seconded and carried, that House Bill No. 258 be recalled from Revenue and Taxation Committee and re-referred to Appropriations Committee.

Moved by Darlington, duly seconded and carried, that House Bill No. 142 be taken from the head of the list of General Orders and placed after House Bill No. 141 on General Orders.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Senate:

"Helena, Montana, February 12, 1927.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion duly made and seconded, the Senate requests the recall of House Bill No. 103 for further consideration.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the request of the Senate be granted.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under the same rules as previous sitting.

Mr. Nelstead in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration, House Bill No. 167, 96, 140, 141, 142, respectfully report as follows: That House Bill No. 167 be amended as follows:

Section 1: By striking out all of said Section, beginning with line No. 4, of the printed bill, and inserting in lieu thereof the following: "Section 6236. Whenever an official bond is required of any state, county, or city officer, such officer may furnish a corporate surety bond, or a good and sufficient individual bond, executed and approved as required by law, or

may furnish such other security as may be approved by the person, officer or board, whose duty it shall be to examine and approve such official bond, and the provisions of this act shall be construed to include any deputy, clerk or subordinate officer in all cases where a bond is required to be furnished by the principal officer or appointing body, provided, however, that the bond of such deputy, clerk or subordinate officer shall not be in excess of twenty per cent of the amount of the bond of the principal officer or appointing body; provided further, that where such officer, deputy, clerk or subordinate officer, shall furnish a corporate surety bond, the premium therefor shall be a proper charge against the general fund of the state, county or city, as the case may be, and that as so amended said bill do pass.

That House Bill No. 96 be amended as follows:

Section 1: By inserting in line 5 after the word "warrants" the following: "provided, however, that when a transfer is made from any fund sufficient money must be left in such fund to pay the principal of all warrants drawn against such fund, with interest thereon, remaining outstanding and unpaid at the date of such transfer.

By striking out in line 14 the word "may" and inserting in lieu thereof the word "shall."

By inserting in line 19 of said Section after the word "funds" the words "or sinking funds."

By inserting immediately after the enacting clause of said bill and after the words "Section one (1)," the following: "That Section 5035 of the Revised Codes of the State of Montana be amended so as to read as follows: 'Section 5035', and that as so amended said bill do pass.

That House Bill No. 140 do pass.

That House Bill No. 141 do pass.

That House Bill No. 142 do pass.

NELSTEAD, Chairman."

On motion of Nelstead, report adopted.

Moved by Bricker, duly seconded and carried, that the House now recess until 2:00 o'clock P. M., at which time will be given the Lincoln's Day Program, arranged for that time.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

Mr. Speaker appointed a committee to notify the Senate that the House is ready to receive them in Joint Session.

The committee reported the duty performed.

The Sergeant at Arms announced that the Honorable Senate was awaiting without.

The Honorable Senate then appeared and was seated among the members of the House.

The Committee, consisting of Murphy of Deer Lodge, Adair of Lewis and Clark, and Bricker of Judith Basin, appointed by the Speaker to invite the Governor to attend the program, appeared and escorted the Governor to a seat on the rostrum.

The following program was then given:

Invocation	Rev. Lear, Chaplain of the House
National Song—Star Spangled Banner.....	Helena High School Prize Band
Eulogy—"Lincoln, the Man"	Hon. W. J. Jameson, Yellowstone County
Lewis and Clark picture in rear of Speaker's desk, by Russell.....	
.....	Illustrated by State Historian—David Hilger
Battle Hymn of Republic—Audience	
Directed by Legislative Quartette—Messrs. Mason, Reed, Chatham, Plank	
Poem—"Why Should the Spirit of Man be Proud" ..	Nettina Louise Strobach

Overture Helena High School Prize Band
 Eulogy—On the Life of Abraham Lincoln Senator W. J. Paul, Powell County
 Medley of Patriotic Airs Helena High School Prize Band
 Benediction Rev. Wm. Hoskins, Chaplain of the Senate

Finale

Moved by Senator Cowan, duly seconded and carried, that the Joint Assembly be now dissolved and the Senate retire from the House.

Moved by Bricker, duly seconded and carried, that out of respect for Abraham Lincoln, the House now adjourn until 1:00 P. M. Monday, February 14, 1927.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

FORTY-THIRD DAY

House of Representatives,
 Helena, Montana, February 14, 1927.

House convened, pursuant to adjournment at 1:00 P. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all members present except: Fulsher, excused on account of illness; Benjamin, excused, Tinsley, absent.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty first legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

REPORTS OF STANDING COMMITTEES

The following reports of Standing Committees were received:

The Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 140, 141, 142, 156, 185, 194, 199, and House Resolution No. 5.

GREEN of Dawson, Chairman."

The Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 65 and 118 and Sub. for House Bills Nos. 32 and 5 and House Bills Nos. 117 and 119.

WAITE, Chairman."

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration, House Bill No. 221, introduced by Committee on Revenue and Taxation, respectfully report as follows: That House Bill No. 221 do pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration, House Bill No. 222, introduced by Committee on Revenue and Taxation, respectfully report as follows: That House Bill No. 222 do pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration, House Bill No. 224, introduced by Committee on

Revenue and Taxation, respectfully report as follows: That House Bill No. 224 do pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration, House Bill No. 245, introduced by Committee on Revenue and Taxation, respectfully report as follows: That House Bill No. 245 do not pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration, House Bill No. 246, introduced by Committee on Revenue and Taxation, respectfully report as follows: That House Bill No. 246 do not pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration, House Bill No. 249, introduced by Goodwin, respectfully report as follows: That House Bill No. 249 do not pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration, House Bill No. 217, introduced by Hodgskiss, respectfully report as follows: That House Bill No. 217 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration, House Bill No. 287, introduced by Cheadle, respectfully report as follows: That House Bill No. 287 be amended as follows: By striking out all of Section 3 and that as amended, House Bill No. 287 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration, House Bill No. 289, introduced by Nagle, respectfully report as follows: That House Bill No. 289 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration, House Bill No. 291, introduced by Foot, respectfully report as follows: That House Bill No. 291 be amended as follows: That title of Bill be amended as follows: By adding thereto the following: "And providing that the provisions hereof shall not relate to anyone previously convicted of a felony"; That the body of the Bill be amended as follows: By inserting between the figure "1" and the word "whenever" the following: "That Section 12075 be and the same is hereby amended to read as follows: 12075. Indeterminate sentence"; That another Section be added as follows: "Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed." and that as amended, House Bill No. 291 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means, having had under consideration, House Bill No. 242, introduced by White, Leavens, Burns, Cheadle and Nagle, respectfully report as follows: That House Bill No. 242 be amended as follows:

Section 2. By striking out in line 23 the words, "in an action in the District Court" and inserting in lieu thereof the words, "before the commission."

In line 26 strike out, "Disobedience of such a". By striking out all of lines 27, 28 and 29 and in line 30 the words, "in the District Court."

Section 3, line 10, strike out the words, "of the" and insert in lieu thereof the word "and".

Line 20, strike out the words, "of the Amateur Athletic Union of the United States", and insert in lieu thereof the words, "as may be prescribed by the commission."

Section 8, line 16, strike out the word "State" and insert in lieu thereof the word "County."

Line 18, strike out the words "tax shall" and insert therein the words, "shall be transmitted to the State Treasurer by the County Treasurer within a period of ten days after its collection and."

Line 20. Strike out the words, "any surplus shall be by" and insert in lieu thereof the following words, "the money so collected shall be paid to."

Line 21. Insert after word "Treasurer", the words "to be" and after the word "separate" insert the word "and," also by striking out the words "and permanent."

Add to Section 8 the following words:

"All money in the said fund from time to time may be invested by the State Treasurer in any manner provided for by law for the investment of the State moneys."

Line 22. After the word "Fund" insert, "and used exclusively for the purposes herein provided."

Line 24. After the word "devoted" insert the following words: "for the expenses above specified and the balance to be held and retained."

Section 9. Page 6, line 2, insert after the numerals "\$5000.00" the words, "payable to the State of Montana."

Line 4. Strike out the words "State Treasurer" and insert in lieu thereof the word "Commission."

Line 6, by striking out the words "State Treasurer" and inserting the word "Commission."

Line 7. Strike out the words, "for such", and substitute the word "a". After the word "license", insert "as hereinbefore provided" and strike out the following words: "a certificate of such filing and approval."

Strike out all of lines 8, 9 and 10.

Section 10, line 15, strike out the word "State" and substitute the word "Commission."

Line 16. Strike out the words, "Treasurer be," and substitute therein the word "it."

Line 26. Strike out the words "State Treasurer" and substitute therefor the word "Commission."

Line 32. Add after word "recover" the following words: "and when collected shall be used and applied as other moneys received under the provisions hereof."

Section 12, line 15, insert after the word "building" the following words: "and for other expenditures authorized by this Act," also by adding to Section 12, the following: "The State is hereby authorized and empowered to accept and receive gifts, bequests and devises for the proposed Veteran's Memorial Building, and the moneys so received shall be held and expended only for the construction of such memorial and for its support and maintenance."

Section 13, line 18, after the numeral "1921" strike out the word "be" and strike out all of line 19 and insert in lieu thereof the following: "and all Acts and parts of Acts in conflict."

And that House Bill No. 242 do pass as amended.

TROY, Chairman."

On motion of Troy, report adopted.

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration, House Bill No. 256, introduced by Holton, Nelstead, Dellwo and Rife, respectfully report as follows: That House Bill No. 256 do pass.

STAMBAUGH, Chairman."

On motion of Stambaugh, report adopted.

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration, House Bill No. 234, introduced by Throssel, respectfully report as follows: That House Bill No. 234 do pass.

STAMBAUGH, Chairman."

On motion of Stambaugh, report adopted.

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration, House Joint Resolution No. 7, introduced by Throssel, respectfully report as follows: That House Joint Resolution No. 7 do pass.

STAMBAUGH, Chairman."

On motion of Stambaugh, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration, House Bill No. 286 introduced by Reed, respectfully report as follows: That House Bill No. 286 be re-referred to Committee on State Boards and Officers.

BURNS. Chairman."

On motion of Burns, report adopted.

The Speaker gave notice that he was about to sign House Substitutes for House Bills Nos. 5 and 32 and House Bills Nos. 65, 117, 118, 119, and thereupon signed the same.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first time by title, second time at length and referred to the Appropriations Committee:

House Bill No. 301, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the State Highway Commission for the period beginning July 1, 1927 and ending June 30, 1929."

House Bill No. 302, introduced by Appropriation Committee: A Bill for an Act entitled: "An Act appropriating money for the State Highway Commission for the period beginning January 1, 1927 and ending June 30, 1927."

The following Senate Bills were introduced, read first and second time by title, and referred to Standing Committees:

Senate Sub. for House Bill No. 22, introduced by Committee on Judiciary, A Bill for an Act entitled: "An Act making it unlawful to sell, give away, or dispose of intoxicating liquor to a minor, prescribing punishment therefor, defining intoxicating liquor and repealing Chapter 39 of the Acts of the Eighteenth Legislative Assembly of the State of Montana." Referred to Committee on Judiciary.

Senate Bill No. 38, by Donovan: "An Act to amend Section 8933 of the Revised Codes of Montana of 1921, relating to salary and mileage of Court Stenographers." Referred to Committee on Judiciary.

Senate Bill No. 53, by Dowlin: "An Act to amend Section 4916 of the Revised Codes of Montana, 1921, relating to the fees of Sheriffs." Referred to Committee on Judiciary.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that House Substitute for House Bill No. 42 be taken from General Orders and re-referred to Committee on Agriculture.

Moved by Leavitt, duly seconded and carried, that the time for reporting be extended the Committee investigating the gasoline prices in Montana, until February 20th.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND SENATE

The following communication was received from the Governor's office:

"Helena, Montana, February 14, 1927.

The Speaker, House of Representatives, Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 9: Relating to the arrangement, printing and voting of ballots at primary elections.

H. B. No. 30: An Act authorizing O. G. Willett to file with the State Board of Examiners a deficiency claim against the State of Montana for payment to him of moneys expended by him for the maintenance of the leprosarium created by Mineral County, Montana.

J. E. ERICKSON, Governor."

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 12, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and are herewith transmitted to the House:

H. B. No. 68, by Appropriations Committee.

H. B. No. 80, by White, Warren, Gustafson, and Jones of Cascade.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 12, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and are herewith transmitted to the House for concurrence:

Sen. Sub. for H. B. No. 22, by Judiciary Committee.

S. B. No. 38, by Donovan.

S. B. No 53, by Dowlin.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 12, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report and recommend as follows:

That consideration of S. B. No. 17 be passed.

That consideration of S. B. No. 43 be passed.

That consideration of S. B. No. 62 be passed.

That S. B. No. 64 do pass.

That S. B. No. 63 be amended as follows:

Amend Section 2 by striking out in line 2 of the printed bill the words, "Purchasing Agent" of the State" and inserting in lieu thereof the words, "Custodian of the State Capitol."

Amend in Section 3 by striking out in line one of the printed bill the words "Purchasing Agent and inserting in lieu thereof the words "Custodian of the State Capitol."

Amend in Section 3 by striking out the entire section, and renumbering the remaining Sections.

Amend in Section 4 by striking out all of line 1 of the printed bill and inserting in lieu thereof the words "It shall be the duty of the Purchasing Agent to assist the Custodian."

Amend in Section 5 by inserting after the word "away" in line one the words "From the Legislative Halls" and also by striking out the comma in the printed bill after the word "away" and adding a comma after the word "Halls". and, as amended, the same do pass.

That S. B. No. 78 do pass.

That S. B. No. 75 do pass.

That S. J. R. No 7 do pass.

That Sen. Sub. for S. B. No. 5 be amended in Section 2, line 6 by adding after the word "to" the words "the sale of meat by" and, as amended the same do pass.

That consideration of H. B. No. 64 be passed.

That H. B. No. 143 by concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 12, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced, read first and second times, and referred to the Standing Committees:

H. B. No. 61—Agriculture Committee.

H. B. No. 124—Finance and Claims.

H. B. No. 158—Fairs and Expositions

H. B. No. 182—Finance and Claims.

H. B. No. 184—Finance and Claims.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 12, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day given:

By Taylor: "An Act requiring every person, firm or corporation operating a railroad within the State to keep at each station thereof a car order book; providing what entries shall be made therein; making such car order book a public record, subject to inspection, providing the manner of distributing car orders; providing for reports thereof to the State Board of Railroad Commissioners; providing who may order cars; making the violation of any of the provisions of this Act a misdemeanor and providing a penalty therefor and repealing all Acts and parts of Acts in conflict herewith."

By Pomeroy and Kane: "An Act to amend Section 2 of Chapter 89 of the Session Laws of Montana of 1925 relating to irrigation districts and to the purchase by irrigation districts of certificates of tax sales affecting lands within such districts and relating to the purchase of lands, title to which has passed to the county within which such irrigation district is situate on account of delinquent taxes and irrigation assessments, and authorizing the sale of such tax sale certificates and said lands to such irrigation districts without the necessity of the payment of the amount of such delinquent irrigation districts assessments, interest and penalty thereon when any such county shall be the holder and owner of any debenture certificate issued unto it by said county under the provisions of Section 3979 of the Revised Codes of Montana of 1921; repealing any and all laws and parts of laws in conflict herewith."

By Church: "An Act to repeal Sections 537 and 538 of the Revised Codes of Montana of 1921, relating to the publication of questions submitted to popular vote."

By Taylor: "An Act abolishing the offices of Railroad Commissioners and Board of Railroad Commissioners of the State of Montana, and their salaries; transferring their duties and powers to a commission known as the "Public Utilities Commission of the State of Montana" composed of the State Auditor, Commissioner of Agriculture, and State Engineer, acting without additional compensation; prohibiting free transportation; repealing Section 3779 and amending Sections 3784 and 3785 Revised Codes of Montana of 1921."

By McCormick: "An Act to amend Section 3656 Revised Codes of Montana 1921, as amended by Chapter 192, Laws Nineteenth Legislative Assembly, by returning to the State Fish and Game Commission the right and authority to appoint deputy State Fish and Game Wardens and Special Game Wardens."

By McCabe: "A Memorial to Congress of the United States demanding a repeal of the present Federal Inheritance Tax Law."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 12, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time and referred to the Standing Committees:

S. B. No. 106, by Taylor: "An Act to amend Sections 10904 and 10908 of the Revised Codes of Montana, 1921, relating to unfair discrimination in purchase price and sales price of commodities and repealing all acts and parts of acts in conflict herewith." Judiciary.

S. B. No. 107, by Spencer, Church, Cowan, Hazelbaker, Giboe, Survant, McCone, Brownlee, Johnson, Kennedy, Richardson: "An Act to amend Section 162, Revised Codes, Montana, 1921, as amended by Chapter 99, Laws Eighteenth Legislative Assembly, 1923, providing additional compensation for the State Auditor in recognition of the additional duties required of said State Auditor as Commissioner of Insurance ex-officio." Finance and Claims Committee.

S. B. No. 108, by Kemmis: "An Act legalizing all elections heretofore held authorizing the issuance of bonds by any county of this State, to create or increase any indebtedness of such county where such election was participated in and the question was submitted to a vote of the electors rather than to the registered electors whose names appeared upon the last preceding assessment roll as required by Chapter 98 of the Laws of 1923." Elections and Privileges.

S. J. M. No. 4 by Griffin: "A Memorial to the Senate of the United States protesting against the enactment of House Calendar No. 204, S. 481 (Report No. 911), commonly known as the "Corn Sugar Bill." Federal Relations.

S. B. No. 109, by Survant: "An Act providing for the validating of tax sales and deeds heretofore or hereafter made, defining the rights of original owners or claimants of property or of any interest therein or lien thereon, and of persons (including counties who have acquired or attempted to acquire or may hereafter acquire or attempt to acquire title to property under any tax sales, or their successors; providing for the re-sale by the county of property acquired or attempted to be acquired by the county at tax sales and confirming sales of such property heretofore made or attempted to be made by counties, and providing a summary method whereby such purchasers at tax sales, or their successors, may have their respective rights adjudicated, and amending Sections 2214, 2215 and 2235 of the Revised Codes of 1921 of the State of Montana." Taxation.

S. B. No. 110, by McCormick: "An Act to amend Section 3656, Revised Codes of Montana 1921, as amended by Chapter 192, laws Nineteenth Legislative Assembly by returning to the State Fish and Game Commission the

Right and Authority to appoint Deputy Fish and Game Wardens and Special Game Wardens." Fish and Game.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 12, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Standing Committees have this day reported as follows:

Committee on Privileges and Elections report that S. B. No. 42 be amended as follows:

Amend on page 2, line 2, of the original bill after the word "qualification" by inserting the following words:

"Of the electors whose signatures are thus certified to be genuine and the Secretary."

Amend by striking out all of line 6 to 12, both inclusive, page 3, of the original bill, and by inserting after line 22, page 3, of the original bill and, as a separate paragraph the following:

No petition to withdraw signatures from an initiative or referendum petition shall be accepted or filed by the Secretary of State, unless the signatures of the electors purporting to sign the same, are compared by the county clerk of the county in which the elector resides and by him certified to be genuine in the manner and form above provided for certification of signatures to the initiative or referendum petition and the Secretary of State shall consider and count only such signatures on such withdrawn petition as shall be so certified by the County Clerk to be genuine." And as amended, same do pass.

Committee on Counties and Towns report that H. B. No. 128 be concurred in.

Committee on Counties and Towns report that H. B. No. 76 be amended as follows: that the word and figure "five" in line 15 of the engrossed bill be stricken out and the word and figure "two" be inserted in lieu thereof, and that, as amended, the bill be concurred in.

Committee on Counties and Towns report that H. B. No. 33 be concurred in.

Committee on Counties and Towns report that H. B. No. 73 be concurred in.

Committee on Public Buildings and Grounds report that S. B. No. 10 be do pass.

Committee on Insurance report that H. B. No. 171 be amended as follows: Amend Section 1 of the original bill in line 19 by substituting the word "and" for the word "or" after the word "President"; and in line 20, by substituting the word "officers" for the word "officer", and, as so amended the bill be concurred in.

Committee on Taxation report that S. B. No. 27 do not pass, and that S. B. No. 9 do not pass.

Committee on Roads and Highways report that S. B. No. 36 do pass and that H. B. No. 107 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

THIRD READING OF HOUSE BILLS

House Bill No. 140, introduced by Donaldson and Reed, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Besancon, Bonine, Bretzke, Bricker, Burke, Burns, Cavanaugh, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jameson, Johnson, Jones (Ra-

Ravalli), Jones (Cascade), Knight, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Troy, Westlake, White, Willard, Mr. Speaker. Total—71.

Noes: Abrahamson, Ballard, Benson, Barry, Budas, Cheadle, Foot, Goodwin, Green (Fergus), Green (Dawson), Hardcastle, Kelly, Knowles, Larson, Lowry, Plumer, Rockwood, Sample, Tierney, Warren. Total—20.

Absent and not voting: Benjamin, Brown, Chatham, Fulsher, Jensen, Jones (Phillips), Moss, Moulton, Tinsley, Waite, Woodcock. Total—11.

House Bill No. 141, introduced by Donaldson and Reed, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Arnold, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Burke, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Green (Fergus), Gustafson, Hagerty, Harris, Holton, Jameson, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Kroman, Lamb, Leavens, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rorvik, Ryder, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Troy, Westlake, White, Willard, Mr. Speaker. Total—72.

Noes: Abrahamson, Adair, Ballard, Budas, Cheadle, Foot, Goodwin, Green (Dawson), Hardcastle, Hodgskiss, Kelly, Knowles, Larson, Lowry, Plumer, Rockwood, Rognlien, Sample, Tierney, Warren, Woodcock. Total—21.

Present and not voting: Mulholland. Total—1.

Absent and not voting: Benjamin, Burns, Fulsher, Jensen, Leavitt, Stambaugh, Tinsley, Waite. Total—8.

House Bill No. 142, introduced by Donaldson, and Reed, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burns, Cavanaugh, Chatham, Clarke, Clausen, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Leavens, Leavitt, Logan, McCleary, McLeod, Marshall, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Troy, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—76.

Noes: Adair, Burke, Flachsenhar, Green (Dawson), Harris, Hodgskiss, Knight, Knowles, Larson, Lillis, Mason, Merritt, Murphy, Nagle, Plumer, Sample, Throssel, Tierney, Warren. Total—19.

Absent and not voting: Benjamin, Cheadle, Cooney, Fulsher, Lowry, Tinsley, Waite. Total—7.

House Bill No. 156, introduced by Cheadle, Green of Fergus, Miller of Fergus, and Moulton, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, Marshall, Mason, Miller

(Fergus), Miller (Lincoln), Moss, Moulton, Murphy, Nagle, Nelste, Nicholson, O'Day, Plank, Prescott, Rife, Rockwood, Rognlien, Sam, Shields, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tr, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—80.

Noes: Clarke, Holton, Larson, McCleary, Mulholland, Plumer, Rorv, Sparling, Warren. Total—9.

Absent and not voting: Arnold, Benjamin, Cavanaugh, Dunn, Fulsh, Jones (Ravalli), McLeod, Merritt, Nelson, Reed, Ryder, Tinsley, Wa, Total—13.

House Bill No. 185, introduced by Nagle, having been read the several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benson, Bar, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cava, augh, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlinton, Dellwo, D, aldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodw, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Har, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (C, cade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leav, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (F, gus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, N, stead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognli, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Thross, Tierney, Warren, Westlake, White, Willard, Woodcock, Mr. Speak, Total—90.

Noes: None.

Absent and not voting: Benjamin, Curran, Fulsher, Jones (Ravall, Lillis, Nelson, Reed, Ryder, Shields, Tinsley, Troy, Waite. Total—12.

House Bill No. 194, introduced by Plank, having been read three sever, times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benson, Barr, Besancon, Bonine, Bretzke, Brown, Budas, Burke, Burns, Cavanaugh, Cha, ham, Cheadle, Clarke, Clausen, Darlinton, Dellwo, Donaldson, Dora, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Ho, ton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jon, (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leaver, Leavitt, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Mill, (Fergus), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstea, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlie, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutto, Throssel, Tierney, Warren, Westlake, White, Willard, Woodcock, Mr. Spea, er. Total—91.

Noes: None.

Absent and not voting: Benjamin, Bricker, Cooney, Curran, Fulshe, Lillis, Miller (Lincoln), Thorburn, Tinsley, Troy, Waite. Total—11.

House Bill No. 199, introduced by White, Jones of Cascade and Leaven, having been read three several times, title and history agreed to, wa, passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benson, Barr, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cava, augh, Chatham, Cheadle, Clarke, Clausen, Darlinton, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Ho, ton, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade, Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Loga, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Mille, (Lincoln), Moss, Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik,

Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—90.

Noes: None.

Present and not voting: Foot. Total—1.

Absent and not voting: Benjamin, Cooney, Curran, Fulsher, Jameson, Illis, Nagle, Ryder, Sample, Tinsley, Troy. Total—11.

House Resolution No. 5, introduced by Sample, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Javanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Leavens, Leavitt, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—90.

Noes: None.

Absent and not voting: Cooney, Fulsher, Holton, Johnson, Larson, Illis, Nagle, Nelson, Tinsley, Troy, Waite, White. Total—12.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, and that proponents and opponents of bills be allowed five minutes and others three minutes to discuss the main bill; and that on amendments proponents and opponents be allowed three minutes and others two minutes, with no trading of time; that each member be allowed to talk only once except proponents and opponents; and that the bills be read by history, title and section numbers only, except upon request of some member that certain sections be read.

Mr. Nelstead in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 207, Substitute for House Bill No. 85, Senate Joint Resolution No. 4, Senate Bill No. 31 respectfully report as follows:

That the enacting clause be stricken from House Bill No. 207.

That Substitute for House Bill No. 85 do pass.

That Senate Joint Resolution No. 4 be amended as follows:

By striking out in lines 82 and 83 "and to the Senators and Representatives therein," all of line 83, and that the balance of lines 81 and 82 be added to the end of the resolution.

By striking out in line 47 the word "protective" and inserting in lieu hereof after the word "policy" the words "above contended for" and that as so amended said Senate Joint Resolution No. 4 be concurred in.

That the enacting clause be stricken from Senate Bill No. 31.

NELSTEAD, Chairman."

Moved by Nelstead, duly seconded, that the report be adopted.

Moved by Flachsenhar, as a substitute motion, duly seconded, that Senate Bill No. 31 be segregated from the report.

Question arising on motion to adopt the committee report with Senate Bill No. 31 segregated therefrom, same carried, by the following vote:

Ayes: Adair, Akofer, Arnold, Bricker, Brown, Budas, Cavanau, Chatham, Cheadle, Cooney, Curran, Donaldson, Doran, Dunn, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Hagerty, Jameson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Larson, Leavens, Leavitt, Lillis, Logan, McLeod, Mason, Miller (Fergus), Moss, Moulton, Mulholland, Nagle, Nelson, Nelstead, Reed, Rognlien, Ryce, Sample, Sparling, Steeves, Troy, Waite, Woodcock. Total—50.

Noes: Abrahamson, Ballard, Benjamin, Benson, Barry, Besancon, Boni, Bretzke, Burke, Burns, Clarke, Clausen, Darlington, Dellwo, Dougherty, Erickson, Foot, Gustafson, Hardcastle, Hodgskiss, Holton, Jensen, Johnson, Kelly, Lowry, McCleary, Marshall, Merritt, Miller (Lincoln), Murphy, Nicholson, Plank, Plumer, Prescott, Rife, Rockwood, Rorvik, Stambaugh, Sutton, Thorburn, Throssel, Tierney, Warren, Westlake, White, Willa, Mr. Speaker. Total—47.

Absent and not voting: Fulsher, Harris, O'Day, Shields, Tinsley. Total—5.

At the request of Flachsenhar, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that Senate Bill No. 31 be re-referred to Committee on Revenue and Taxation.

The Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 68 and 80.

WAITE, Chairman."

The Speaker gave notice that he was about to sign House Bills Nos. 68 and 69, and thereupon signed the same.

There being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first time by title, second time at length and referred to Appropriations Committee:

House Bill No. 303, introduced by Appropriations Committee: A Bill for an Act entitled: "A supplementary appropriation bill authorizing the State Board of Examiners to purchase and install a system of records for the use of the consolidated boards and making an appropriation of money for that purpose."

House Bill No. 304, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance of the Agricultural Experiment Station and substations and for farmers' extension work, for the period beginning July 1, 1927, and ending June 30, 1929."

The Speaker excused Jensen for tomorrow.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:00 A. M., Tuesday, February 15, 1927.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

FORTY-FOURTH DAY

House of Representatives,

Helena, Montana, February 15, 1927.

House convened, pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all members present, except: Fulsher, excused on account illness; Jensen, excused; Tinsley, absent.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty-third legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlinton, report adopted.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration, Senate Bill No. 35, introduced by Church, respectfully report as follows: That Senate Bill No. 35 be concurred in.

LEAVENS, Chairman."

On motion of Leavens, report adopted.

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 45, introduced by Committee on Livestock and Grazing, respectfully report as follows: That Senate Bill No. 45 be concurred in.

LEAVENS, Chairman."

On motion of Leavens, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 24, introduced by Survant and Furthner, respectfully report as follows: That Senate Bill No. 24 be concurred in.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 37, introduced by Corrington and Schnitzler, respectfully report as follows: That Senate Bill No. 37 be concurred in.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 191, by Adair, respectfully report as follows: That House Bill No. 191 be printed and placed on General Orders.

BURNS, Chairman."

On motion of Burns, report adopted.

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 96, 167 and 197.

GREEN of Dawson, Chairman."

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second time by title and referred to standing committees:

Substitute for Senate Bill No. 5, by Livestock and Public Ranges Committee: A Bill for an Act entitled: "An Act defining the duties of persons slaughtering or selling meat or by-products of meat cattle; defining and providing for the licensing of butchers and meat peddlers; providing for the inspection and stamping of hides and meat and for issuance and recording of certificates of inspection; providing fees for such inspection; designating exceptions from this Act; providing penalties for the violation of this Act, and repealing Chapter 75 of the Acts of the Eighteenth Legislative Assembly of Montana of 1923 and all other Acts in conflict herewith." Referred to Livestock and Public Ranges Committee.

Substitute for Senate Bill No. 32, by Committee on Irrigation and Water Rights: A Bill for an Act entitled: "An Act to amend Section 7147 of the Revised Codes of Montana of 1921, as amended by Chapter 11 of the Session

Laws of the Eighteenth Legislative Assembly, relating to the apportionment of fees and expenses of water commissions." Referred to Irrigation and Water Rights Committee.

Senate Bill No. 14, by Joffray: A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana of 1921 as amended by Chapter 107 of the Laws of the Eighteenth Legislative Assembly relating to the registration fees for motor vehicles and the disposition thereof and repealing all Acts and parts of Acts in conflict herewith." Referred to Highways Committee.

Senate Bill No. 29, by Greenup: A Bill for an Act entitled: "An Act to repeal Section 11039 of the Revised Codes of Montana of 1921 relating to keeping open places of amusement on Sunday." Referred to Public Morals, Charities and Reforms Committee.

Senate Bill No. 48, by Pauline: A Bill for an Act entitled: "An Act to amend Section 5250, Revised Codes of Montana, 1921, relating to the manner of making payments under contracts for improvements in special improvement districts in cities and towns." Referred to Affairs of Cities Committee.

Senate Bill No. 49, by Hazelbaker: A Bill for an Act entitled: "An Act authorizing counties, school districts, public libraries, hospitals, cemeteries, and other public institutions to receive gifts, donations, grants, devises or bequests of property." Referred to Townships and Counties Committee.

Senate Bill No. 57, by Hazelbaker: A Bill for an Act entitled: "An Act to amend Section 1230 of the Revised Codes of Montana of 1921, relating to the redemption of school district bonds, and the investment of the bond sinking and interest fund." Referred to Education Committee.

Senate Bill No. 63, by Pauline: A Bill for an Act entitled: "An Act providing for the preservation of the property belonging to the legislative department of the State of Montana and providing penalty for the removal or destruction of such property." Referred to State Institutions, Public Buildings and Grounds Committee.

Senate Bill No. 64, by Duncan and Paul: A Bill for an Act entitled: "An Act to amend Section 6670 of the Revised Codes of Montana, of 1921 relating to property deemed affixed to a mine." Referred to Judiciary Committee.

Senate Bill No. 69, by Committee on Irrigation and Water Rights: A Bill for an Act entitled: "An Act relating to the adjudication of water rights, amending Section 7122 of the Revised Codes of 1921 and adding Chapter 26, part 4 of the Civil Code of Montana, a section to be known as Section 7124-A." Referred to Irrigation and Water Rights Committee.

Senate Bill No. 75, by Committee on Horticulture: A Bill for an Act entitled: "An Act to amend Chapter 144 of the Session Laws of the Nineteenth Legislative Assembly of Montana of 1925, relating to the State Horticulture Revolving Fund" Referred to Committee on Horticulture.

Senate Bill No. 76, by Judiciary: A Bill for an Act entitled: "An Act to amend Section 8273 of the Revised Codes of Montana of 1921, relating to mortgages, deeds of trust or assignment, for the benefit of creditors by corporations." Referred to Judiciary Committee.

Senate Bill No. 77, by Judiciary Committee: A Bill for an Act entitled: "An Act to repeal Section 5929 of the Revised Codes of Montana of 1921 relating to the creation of increasing of the bonded indebtedness of corporations." Referred to Judiciary Committee.

Senate Bill No. 78, by Gilboe: A Bill for an Act entitled: "An Act to provide for the dissolution of joint school districts, providing for the holding of an election, the adjustment of indebtedness, validating certain defacto districts and repealing Section 1037, Revised Codes of Montana 1921." Referred to Committee on Education.

Senate Joint Resolution No. 6, by McCabe: "Relative to the policy of caring for the Indians of Montana by the expenditure of Federal appro-

tions through state agencies." Referred to Committee on Federal Rela-

Senate Joint Resolution No. 7, by Griffin: "A Resolution requesting State Board of Examiners to file a written report of its recommendation plan of repayment to the income and investment fund moneys wrong- used therefrom as acknowledged by Senate Joint Resolution No. 8, ion Laws of 1925, page 472." Referred to Committee on Education.

Senate Joint Memorial No. 1, by Richardson: "Memorial to the Con- s of the United States, praying for the immediate passage of the Tyson- gerald bill, an Act for the relief of disabled emergency army officers pending." Referred to Committee on Military Affairs.

The Speaker gave notice that he was about to sign Senate Bills Nos. nd 25, and thereupon signed the same.

At the request of Flachsenhar, there being no objections, House reverted rder of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Education, having had under sideration House Bill No. 147, introduced by Holton, Ryder and Waite, ectfully report as follows: That House Bill No. 147 be amended by: king out in line 1, of the second page of the original bill, the words, ys attended", and inserting in lieu thereof the words, "days' attendance", as amended, it do pass.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under sideration House Bill No. 195, introduced by Ryder, respectfully report ollows: That House Bill No. 195 do pass.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under sideration House Bill No. 114, introduced by Dellwo, respectfully report ollows: That House Bill No. 114 do not pass.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under sideration House Bill No. 113, introduced by Dellwo, respectfully report ollows:

That House Bill No. 113 be amended as follows:

1. By striking out the words "of the Revised Codes of Montana of 4" in lines 1 and 2 of the title, and by
2. Adding in line 6, immediately following the word "districts", the rds "as nearly as possible"; and that as amended it be printed and placed General Orders without recommendation.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under sideration House Bill No. 123, introduced by Darlinton and Reed, ectfully report as follows: That House Bill No. 123 be reported back and ced on General Orders without recommendation.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under sideration House Bill No. 136, introduced by Shields, respectfully report ollows: That House Bill No. 136 do not pass.

FLACHSENHAR, Chairman."

Moved by Flachsenhar, duly seconded, that the report be adopted.

Moved by Shields, as a substitute motion, duly seconded, that Bill No. 136 be printed and placed on General Orders.

Question arising on substitute motion, same carried.

"Mr. Speaker: We, your Committee on Education, having had consideration House Bill No. 219, introduced by Merritt and Hodgskiss respectfully report as follows: That House Bill No. 219 be amended changing the figures \$75,000.00 in line 6 of the original bill, to \$100,000 and as amended it do pass.

FLACHSENHAR, Chairman.

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had consideration House Joint Resolution No. 6, introduced by Holton, R. Merritt, Benson, Foot and Waite, respectfully report as follows: That Joint Resolution No. 6 do not pass.

FLACHSENHAR, Chairman.

On motion of Flachsenhar, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communication from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 14, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honor Body that the following Senate bills were this day read three several times and history agreed to, and passed, and are herewith transmitted to House for concurrence:

Sub. for S. B. No. 5, by Senate Livestock Committee.

S. B. No. 14, by Joffray.

S. B. No. 29 by Greenup.

Sub. for S. B. No. 32, by Committee on Irrigation and Water Rights

S. B. No. 48, by Pauline.

S. B. No. 49, by Hazelbaker.

S. B. No. 57, by Hazelbaker.

S. B. No. 63, by Pauline.

S. B. No. 64, by Duncan and Paul.

S. B. No. 69, by Committee on Irrigation and Water Rights.

S. B. No. 75, by Committee on Horticulture.

S. B. No. 76, by Judiciary Committee.

S. B. No. 77, by Judiciary Committee.

S. B. No. 78, by Gilboe.

S. J. M. No. 1, by Richardson.

S. J. R. No. 6, by McCabe.

S. J. R. No. 7, by Griffin.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 14, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honor Body that House Bill No. 171, introduced by Insurance Committee, was this day read three several times, concurred in as amended by Committee on Insurance, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

"Amend Section 1 of the engrossed bill in line 19 by substituting the word "and" for the word "or" after the word "president"; and in line 20 by substituting the word "officers" for the word "officer."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 14, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable that House Bill No. 128, introduced by Lillis, was this day read three times and concurred in, title and history agreed to, and is herewith sent to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 14, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable that House Bill No. 143, introduced by Livestock and Public Range Committee, was this day read three several times, concurred in as amended Committee on Livestock and Grazing, title and history agreed to, and is with returned to the House for concurrence in Senate Amendments: "Amend in line 9, page 2, of the engrossed bill, by striking out the word "must" and inserting in lieu thereof the word "may."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 14, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable that the Committee of the Whole having had under consideration business on General File, report and recommend as follows:

AFTERNOON SESSION

That S. B. No. 71 be amended in Section 1 by striking out in line 18 the printed bill all of said Section after the word "trespass," and that, amended, it do pass.

That S. B. No. 81 do pass.

That S. B. No. 84 do pass.

That consideration of S. B. No. 85 be passed.

That S. J. M. No. 3 do pass.

That H. B. No. 76 be amended in the title by striking out in line 3 figure 5, and inserting in lieu thereof the figure "2," and, as amended, be concurred in.

That H. B. No. 171 be concurred in.

That consideration of H. B. No. 33 and H. B. No. 73 be passed.

That H. B. No. 128 be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 14, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows:

FORENOON SESSION

That consideration of S. B. No. 17 be passed.

That consideration of H. B. No. 64 be passed.

That consideration of S. B. No. 43 be passed.

That S. B. No. 62 be amended in Section 1 by inserting after the word "county" on line 12 of the printed bill, the words "or district," and, amended, it do pass.

That S. B. No. 2 do pass.

That consideration of S. B. No. 56 be passed.

That consideration of S. B. No. 61 be passed

That S. B. No. 68 do pass.

That Committee arise and report.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 14, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Standing Committees have this day reported as follows:

Committee on Counties and Towns report that House Bill No. 107 be amended as follows:

Amend by striking out in line eight of the engrossed bill the words "One-eighth" and insert in lieu thereof the words "One-fourth," and striking out in sub-section Twenty one, line eighteen, the words "or otherwise," and, as so amended, we recommend that the bill be concurred in.

Committee on Roads and Highways report that H. B. No. 107 be amended as follows:

Amend Section 1, Subdivision 4, line 4, by inserting after the word "deputy," the words "at a salary of not to exceed \$3,000.00."

Amend Section 1, Subdivision 4, line 4, by inserting after the word "clerk," the words "at a salary not to exceed \$150.00 per month," and, as so amended, the bill be concurred in.

Committee on Education report that S. B. No. 97 do pass, and Sub. for S. B. No. 26 do pass as amended, as follows:

Committee on Education amendment to Sub. for S. B. No. 26:

Amend in Section 1, line 22, by striking out the word "ten", and inserting in lieu thereof the word "twenty," and, as amended, the same do pass.

Committee on Education report that S. B. No. 95 do pass.

Committee on Banks and Banking report that H. B. No. 10 be concurred in.

Committee on Counties and Towns report that S. B. No. 94 do pass.

Committee on Federal Relations report that S. J. M. No. 2 do not pass.

Committee on Finance and Claims report that H. B. No. 160 be concurred in.

Committee on Finance and Claims report that H. B. No. 166 be concurred in.

Committee on Finance and Claims report that H. B. No. 182 be concurred in.

Committee on Elections and Privileges report that S. B. No. 108 do pass.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 14, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced, read first and second times and referred to the Standing Committees:

AFTERNOON SESSION

S. J. R. No. 10, by Wuerthner and Kane: Relating to publication of amendments to the Constitution of the State of Montana." Finance and Claims Committee.

S. B. No. 127, by McCormick, by request: "An Act to amend Section 2739 of the Revised Codes of Montana of 1921, relating to the salary of the State Fire Marshal, by increasing the salary to three thousand dollars per annum." Finance and Claims Committee.

S. B. No. 128, by Church: "An Act to permit Victoria Marceau, widow of Louis Coty, deceased, to file with the Industrial Accident Board of the State of Montana a claim for compensation by reason of the death of said Louis Coty; said claim to be filed within thirty (30) days after the date of the death of said Louis Coty."

assage and approval of this bill, with the same force and effect as if it had been filed within the time required by law." Finance and Claims Committee.

S. B. No. 129, by Church: "An Act prescribing the salary of certain State Officers of the State of Montana and repealing all acts and parts of acts in conflict herewith." Finance and Claims Committee.

S. B. No. 130, by Committee on Privileges and Elections: "An Act to amend Chapter 98 of the Session Laws of 1923, providing for preparing and posting lists of such qualified electors as shall be entitled to vote on the proposition of incurring or increasing the indebtedness of a municipal or public corporation prescribing the duties of the County Clerk and duties of the Clerk of such municipal or other public corporation." Privileges and Elections Committee.

S. B. No. 131, by Walker, by request: "An Act to amend Section 1743 of the Revised Codes of Montana of 1921, relating to traffic regulations." Privileges and Highways Committee.

S. B. No. 132, by Church: "An Act to provide for the submission of the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana, relating to the taxation of property and the taxation of State and National banking associations and corporations and unincorporated and private banks and bankers." Constitutional Amendments Committee.

S. B. No. 133, by Church: "An Act to amend Sections 537 and 538 of the Revised Codes of Montana, 1921, relating to the publication of questions submitted to popular vote." Committee on Judiciary.

S. B. No. 134, by Mears: "An Act to amend Section 4141 of the Revised Codes of Montana of 1921, relating to the compensation of title examiners." Committee on Judiciary.

S. B. No. 135, by Taylor: "An Act creating a laborer's lien on the products of his work or labor, for such work and labor; and providing for the manner of the enforcement of such laborer's lien." Committee on Judiciary.

S. B. No. 136, by Dowlin, by request: "An Act providing for the release of chattel mortgages from county records when same has been paid, and providing for a penalty for failure to release said mortgages." Judiciary Committee.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 14, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorability that the following bills were this day introduced, read first and second times, and referred to the Standing Committees:

FORENOON SESSION

S. B. No. 111, by Smith: "An Act to amend Section 1271 of the Revised Codes of 1921, as amended by Chapter 127 of the Session Laws of 1923 relating to the power and duties of Boards of Trustees of County High Schools, and requiring Boards to provide accommodations for mid-year classes where twenty or more beginning students present themselves for admission." Education Committee.

S. B. No. 112, by Linn: "An Act to permit real property to be redeemed from tax sale by paying the original tax and interest thereon." Taxation Committee.

S. B. No. 113, by Greenup: "An Act to amend Section 1121 of the Revised Codes of Montana of 1921, relating to meetings of the Public School Teachers' Retirement salary fund board and to the expenditures in administering the public school teachers' retirement salary act." Education Committee.

S. B. No. 114, by Greenup: "An Act to amend Section 1113 of the Revised Codes of Montana of 1921, relating to the public school teachers' retirement salary fund and the public school teachers' permanent fund." Education Committee.

S. B. No. 115, by Kane: "An Act to amend Section 7234, Revised Codes of Montana 1921 to provide that the expenses incurred in clearing and repairing lateral ditches be charged against land for the benefit of which said improvements or expenses were incurred." Irrigation Committee.

S. B. No. 116, by Pomeroy and Kane: "An Act to amend Section 3979 of Chapter 89 of the Session Laws of Montana of 1925 relating to irrigation districts and to the purchase by irrigation districts of certificates of sale affecting lands within such districts and relating to the purchase of lands title to which has passed to the county within which such irrigation district is situate on account of delinquent taxes and irrigation assessments and authorizing the sale of such tax sale certificates and said lands within such irrigation districts without the necessity of the payment of the amount of such delinquent irrigation district assessments, interest and penalty thereon when any such county shall be the holder and owner of a debenture certificate issued unto it by said county under the provisions of Section 3979 of the Revised Codes of Montana 1921, repealing any laws and parts of laws in conflict herewith." Irrigation Committee.

S. B. No. 117, by Porter: "An Act to amend Section 1859 of the Revised Codes of Montana of 1921 relating to the cancellation of the certificate of purchase of State Lands and providing for the re-purchase of said lands within fifteen months of the date such certificate is cancelled." Public Lands Committee.

S. B. No. 118, by Johnson, by request: "An Act authorizing the Commissioner of Agriculture to appoint an "Exposition Exhibits Committee" defining the duties of such committee; permitting such committee to collect funds; and providing for the compensation of the members of such committee from funds so raised." Agriculture Committee.

S. B. No. 119, by Paul, by request: "An Act relating to mortgages authorizing the insertion in real estate mortgages of a provision empowering mortgagees to add to the costs of foreclosure the reasonable value of any work done on said land or of any crop grown thereon by any tenant or person in possession of said land other than the mortgagor or the claimant under him." Judiciary Committee.

S. B. No. 120, by Taylor: "An Act requiring every person, firm or corporation operating a railroad within the state to keep at each station thereof a car order book; providing what entries shall be made thereon; making such car order book a public record, subject to inspection; providing the manner of distributing cars ordered; providing for reports thereof to the State Board of Railroad Commissioners; providing who may order cars; making the violation of any of the provisions of this Act a misdemeanor, and providing acts in conflict herewith." Railroads and Transportation Committee.

S. B. No. 121, by Taylor: "An Act abolishing the offices of railroad commissioners and Board of Railroad Commissioners of the State of Montana, and their salaries; transferring their duties and powers to a commission known as the "Public Utilities Commission of the State of Montana" composed of the State Auditor, Commissioner of Agriculture, and State Engineer, acting without additional compensation; prohibiting free transportation; repealing section 3779 and amending Sections 3784 and 3785 of the Revised Codes of Montana of 1921." Judiciary Committee.

S. B. No. 122, by Livestock and Grazing Committee, by request: "An Act defining livestock dealers; providing for the bonding and licensing of livestock dealers and for the disposal of such license fee." Livestock and Grazing Committee.

S. B. No. 123, by Church: "An Act authorizing the issuance of not exceeding thirty two thousand dollars (\$32,000) of the Capitol Building Bonds."

authorized by Section 5581 Revised Codes of Montana of 1921, for the purpose of paving and otherwise improving the State Capitol Grounds and adjacent streets." Finance and Claims Committee.

S. B. No. 124, by Campbell: "An Act to amend Section 5306 Revised Codes of Montana 1921, relating to the closing of streets and alleys, and streets thereof in incorporated cities and towns, providing for the filing of applications thereto, and for a public hearing thereon by the city or town council." Counties and Towns.

S. B. No. 125, by Swift: "An Act amending Sections 1051 and 971 of Revised Codes of Montana, 1921, relating to the manner of taking the school census; defining residence for school census purposes; fixing compensation of the Clerk and providing penalties for false and fraudulent reports; providing for examination of such reports and for elimination of reports of fictitious names and for notice of such action by the County Superintendent of Schools; providing for a duplicate copy to be filed with the Bureau of Labor and Industry and an alphabetical index to be furnished to the Superintendent of Public Instruction for the elimination of duplication of names between counties. Education Committee.

S. B. No. 126, by Committee on Education: "An Act creating the State Common School Equalization fund; providing what moneys shall constitute such fund, making the State Board of Education the Common School Equalization Board; providing for the powers and duties of said Board; providing the method for determining the distribution of such fund, and repealing all acts and parts of acts in conflict with this act." Education Committee.

Concurrent Resolution No. 9, by McCabe: "Concurrent Resolution authorizing the Congress of the United States to abolish the Federal Estate Tax." Taxation Committee.

Respectfully,

J. F. CÔNE, Secretary of Senate."

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 4, introduced by Committee on Agriculture, having been read three several times, title and history agreed to, was considered in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Bennett, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prestt, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Staumbaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—90.

Noes: None.

Absent and not voting: Brown, Cheadle, Curran, Doran, Fulsher, Green (Fergus), Green (Dawson), Jensen, Moss, Nelson, Ryder, Tinsley. Total—12.

THIRD READING OF HOUSE BILLS

House Bill No. 96, introduced by Leavitt, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Bennett, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles,

Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, Mc Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulhol Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stamba Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, V lake, White, Woodcock, Mr. Speaker. Total—88.

Noes: Cavanaugh. Total—1.

Absent and not voting: Dellwo, Dougherty, Fulsher, Hagerty, Je Kelly, Logan, Moss, Moulton, Nelson, Ryder, Tinsley, Willard. Total—

House Bill No. 167, introduced by Donaldson, having been read t several times, title and history agreed to, was passed by the following v

Ayes: Akofer, Arnold, Ballard, Benson, Barry, Bonine, Bricker, Br Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Cu Darlinton, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, I Flachsenhar, Green (Dawson), Gustafson, Hagerty, Hardcastle, Ha Hodgskiss, Holton, Jameson, Jones (Phillips), Jones (Ravalli), Jones (cade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Lea Lillis, Logan, Lowry, Marshall, Merritt, Miller (Fergus), Moulton, Mu land, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Prescott, R Rife, Rockwood, Rorvik, Ryder, Sample, Shields, Sparling, Stamba Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, W lake, Mr. Speaker. Total—79.

Noes: Abrahamson, Adair, Benjamin, Bretzke, Cavanaugh, John McCelary, Mason, Miller (Lincoln), Plumer, Rognlien, White, Willard, W cock. Total—14.

Absent and not voting: Besancon, Fulsher, Goodwin, Green (Ferg Jensen, McLeod, Moss, Nelson, Tinsley. Total—9.

House Bill No. 197, introduced by Appropriations Committee, hav been read three several times, title and history agreed to, was passed the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Ben Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Bu Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlin Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodv Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Holton, James Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Krom Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLe Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholla Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Pr cott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparli Stambaugh, Steeves, Sutton, Thorburn, Throssel, Troy, Waite, Warren, W lake, White, Willard, Woodcock, Mr. Speaker. Total—90.

Noes: None.

Absent and not voting: Dellwo, Fulsher, Green (Fergus), Hardcast Jensen, Johnson, Knowles, Marshall, Moss, Ryder, Tierney, Tinsley. To —12.

There being no objections, House reverted to Order of Business No. 4

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Appropriations, having h under consideration House Bill No. 173, by Cavanaugh, respectfully rep as follows: That House Bill No. 173 do not pass.

On motion of Reed, report adopted.

REED, Chairman."

"Mr. Speaker: We, your Committee on Appropriations, having h under consideration House Bill No. 210, by Appropriations Committee, r spectfully report as follows: That House Bill No. 210 do pass.

On motion of Reed, report adopted.

REED, Chairman."

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 211, by Appropriations Committee, respectfully report as follows: That House Bill No. 211 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 220, by Appropriations Committee, respectfully report as follows: That House Bill No. 220 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 238, by Appropriations Committee, respectfully report as follows: That House Bill No. 238 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 265, by Reed and Bricker, respectfully report as follows: That House Bill No. 265 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 301, by Appropriations Committee, respectfully report as follows: That House Bill No. 301 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 302, by Appropriations Committee, respectfully report as follows: That House Bill No. 302 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 304, by Appropriations Committee, respectfully report as follows: That House Bill No. 304 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 212, by Committee on Dairying, respectfully report as follows: That House Bill No. 212 do pass.

_____, Chairman."

On motion of _____

At the request of Bricker, there being no objections, House reverted to order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Cheadle, duly seconded and carried, that the House reconsider action on the report of the Judiciary Committee, with reference to House Bill No. 191.

Moved by Burns, duly seconded and carried, that House Bill No. 191 be re-referred to the Judiciary Committee.

Printing Committee reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 109, 187, 216, 218, 229, 274 and 275 as correctly printed.

COONEY, Chairman."

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders,

under the same rules as previously adopted for consideration of General Orders.

Mr. Miller of Fergus in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate amendments to House Bills Nos. 171 and 143, House Bills Nos. 69, 177, 183, 188, 193, 204, 145, 146 and 150, respectfully report as follows:

That Senate amendments to House Bill No. 171 be concurred in.

That Senate amendments to House Bill No. 143 be not concurred in and that a conference committee be requested.

That consideration of House Bill No. 69 be passed for the time.

That House Bill No. 177 do pass.

That House Bill No. 183 do pass.

That House Bill No. 188 do pass.

That House Bill No. 193 be amended as follows:

Section 1: By inserting after the word "physician", in line 19 of printed bill the words "or veterinarian"; and that as so amended, said House Bill No. 193 do pass.

That House Bill No. 204 do pass.

That House Bill No. 145 do pass.

That House Bill No. 146 be amended as follows:

Section 2: By inserting after the word "treasurer", in line 2 of printed bill, the words "belonging to the Fish and Game Fund and"; also that the word "treasurer" be amended to read "treasury"; and that as so amended said House Bill No. 146 do pass.

That House Bill No. 150 be amended as follows:

Section 4: By inserting in line 7 of printed bill, after the the word "fire", the words "shall be set"; and that as so amended, said House Bill No. 150 do pass.

MILLER of Fergus, Chairman."

On motion of Miller of Fergus, report adopted.

The Speaker appointed the following conference committee on Senate amendments to House Bill No. 143: Leavens of Yellowstone, Chairman; Harris of Meagher, Rife of Beaverhead.

Moved by Bricker, duly seconded and carried, that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Senate:

Helena, Montana, February 15, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion duly made and seconded the Senate requests the return of Senate Bill No. 63 for further consideration.

Respectfully,

J. F. CONE, Secretary of Senate."

On motion of Bricker, the request of the Senate was granted.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 259, introduced by Bricker, Cheadle, Faine and Mason, respectfully report as follows: That House Bill No. 259 do pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 271, introduced by Benjamin, respectfully report as follows: That House Bill No. 271 do pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

There being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under the same rules as previously adopted.

Mr. Foot in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 83, 95, 116, 175, 179, Substitute for House Bill No. 12, House Joint Resolution No. 5, and House Bill No. 123, respectfully report as follows:

That House Bill No. 83 be amended as follows:

Section 1: By striking out in line 9 of the printed bill the word "two" and inserting in lieu thereof the word "three"; by inserting the words "and David Hilger, Secretary State Historical Association" in line 7 of the printed bill after the word "Schools" and before the word "that"; by striking out in line 10 of printed bill the word "bronze"; and that as so amended said House Bill No. 83 do pass.

That consideration of House Bill No. 95 be passed for the day.

That House Bill No. 116 do pass.

That House Bill No. 175 do pass.

That House Bill No. 179 do pass.

That Substitute House Bill No. 12 be amended as follows:

Section 9: By striking out in line 18, of printed bill, the words "tax payers" and inserting in lieu thereof the words "tax paying freeholder"; and by striking out in line 24 the words "tax payers" and inserting in lieu thereof the words "tax paying freeholders".

Section 12: By striking out in line 3 of printed bill, the words "tax payers" and inserting in lieu thereof the words "tax paying freeholders"; and by striking out in line 12, the words "tax payers" and inserting in lieu thereof the words "tax paying freeholders."

Section 30: By striking out in line 15, of printed bill, the period after the word "issue" and inserting in lieu thereof a comma and adding the following words "except as provided in Section 7 of this Act".

Section 31: By striking out in line 12 of the printed bill the word "bonds" and inserting in lieu thereof the word "securities"; by striking

out in line 10 and 11 of printed bill the words "in bonds or treasury certificates of the United States or bonds of the State of Montana" and inserting in lieu thereof the words "in its own district warrants or in interest bearing bonds of the United States or of the State of Montana, or of any county of the State of Montana; or in warrants of the State of Montana, or warrants of any county of the State of Montana." And that as amended said Substitute House Bill No. 12 do pass.

That House Joint Resolution No. 5 be adopted.

That House Bill No. 123 be amended as follows:

Section 1: By inserting in line 19 of printed bill after the words "Commissioners" the words "and County Clerk and Recorder"; and that as so amended said bill do pass.

FOOT, Chairman."

On motion of Foot, report adopted.

At the request of Bricker, there being no objections, House revert to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communication from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 15, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were read three several times and passed, title and history agreed to, and are herewith transmitted to the House for concurrence:

S. B. No. 2, by Mears.

Sub. for S. B. No. 26, by Committee on Education.

S. B. No. 56, by Garber.

S. B. No. 62, by Duncan.

S. B. No. 68, by Kemmis.

S. B. No. 71, by Sibbert.

S. B. No. 81, by Goodman.

S. B. No. 84, by Larson.

S. J. M. No. 3, by Committee on Livestock and Grazing.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 15, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 99, by Plumer, was this day read three several times and concurred in as amended, and is herewith transmitted to the House for concurrence in Senate amendments:

Committee on Counties and Towns amendment: Amend by striking out in line eight of the engrossed bill the words "One-eighth" and inserting in lieu thereof the words "One-fourth."

Also by striking out in sub-section Twenty one, line eighteen the words "or otherwise."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 15, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 76, introduced by Johnson, of Valley County, was this day read three several times and concurred in as amended, and is herewith transmitted to the House for concurrence in Senate amendments:

Committee of the Whole amendment: Amend H. B. No. 76 in the title by striking out in line 3 the figure "5" and inserting in lieu thereof the figure "2".

Committee on Counties and Towns amendment: Amend by striking out the word and figure "five" in line 15 of the engrossed bill and inserting in lieu thereof the word and figure "two."

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 15, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 10, introduced by Leavitt, was this day read three several times and concurred in as amended, and is herewith transmitted to the House for concurrence in Senate amendments:

Committee on Banks and Banking amendment to H. B. No. 10: Amend Section 1, page 2, of the original bill, line 7, by striking out after the word "may" the words "on order of the Court, appointing such receiver," and inserting in lieu thereof the words "make application to the proper Court to."

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 15, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and are herewith returned to the House:

H. B. No. 166, by Miller, by request.

H. B. No. 160, by Committee on Appropriations.

H. B. No. 182, by Committee on Appropriations.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 15, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report and recommend as follows:

That consideration of S. B. No. 17 be passed.

That consideration of S. B. No. 43 be passed.

That S. B. No. 61 be amended as follows:

Amend S. B. No. 61 by adding thereto the following: "Section 3, All Acts and parts of Acts in conflict with this Act are hereby repealed.

Section 4. This Act shall take effect and be in force from and after its passage and approval."

And, as amended, the same do pass.

That Senate Sub. for S. B. No. 26 do pass.

That consideration of S. B. No. 28 be passed.

That H. B. No. 10 be concurred in.

That H. B. No. 99 be concurred in.

That consideration of H. B. No. 107 be passed.

That H. B. No. 160 be concurred in.

That H. B. No. 166 be concurred in.

That H. B. No. 182 be concurred in.

That S. B. No. 56 do pass.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 15, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced, read first and Second times and referred to the Standing Committees:

House Bill No. 140—Counties and Towns Committee.

House Bill No. 141—Counties and Towns Committee.

House Bill No. 142—Counties and Towns Committee.

House Bill No. 156—Taxation.

House Bill No. 185—Judiciary Committee.

House Bill No. 194—Counties and Towns Committee.

House Bill No. 199—Military Affairs Committee.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 15, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Standing Committees have this day reported follows: Reports adopted.

Committee on Education report that Senate Bill No. 99 be amended follows:

Amend in line 32, page 1, by inserting after the word "board" the following:

"The Chancellor of the University to serve until such time as a faculty be selected for said school, after which the President of the school shall serve on said Board in the place of the Chancellor."

Amend in line 32 by striking out the word "which," and beginning the sentence with the word "Said," in lieu thereof.

Amend on page 2, line 19, after the word "said," by inserting the words "city of;" and, as amended, the same do pass.

Committee on Counties and Towns report that S. B. No. 101 be amended as follows:

Amend by striking out in Section 2 the word "Ten" and inserting in lieu thereof the word "Sixty," and, as amended, the bill do pass.

Committee on Enrolling report that S. B. No. 25 and S. B. No. 30 are correctly enrolled and verified.

Committee on Education report that S. B. No. 114 do pass.

Committee on Education report that S. B. No. 113 do pass.

Committee on Education report that S. B. No. 126 do pass.

Committee on Education report that S. B. No. 111 do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

There being no objections, House reverted to order of business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of Standing Committees were received:

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 298, by Cooney, respectfully report as follows: That House Bill No. 298 be amended as follows: By inserting the figure "9947" at the beginning of line 9, of page 1; by inserting the word "any" between the words "of" and "such" of line 8, page 2, and that as amended, House Bill No. 298 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 281, by Leavitt, respectfully report as follows: That House Bill No. 281 be amended as follows: By inserting the words "once a week" between "published" and "for" in line 23, page 1, and that as amended, House Bill No. 281 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 16, by Fulsher, respectfully report as follows: That House Bill No. 16 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 288, by Nagle, respectfully report as follows: That House Bill No. 288 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 284, by Larson and Abrahamson, respectfully report as follows: That House Bill No. 284 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 120, by Knight, respectfully report as follows: That House Bill No. 120 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, the Majority of your Committee on Judiciary, having had under consideration House Bill No. 191, by Adair, respectfully report as follows: That House Bill No. 191 do not pass.

FLACHSENHAR,
LAMB,
CHEADLE,
ROCKWOOD,
CAVANAUGH
LEAVITT,
BESANCON,
JAMESON."

"Mr. Speaker: We, the Minority of your Committee on Judiciary, having had under consideration House Bill No. 191, by Adair, respectfully report as follows: That House Bill No. 191 be printed and placed on General Orders.

SAMPLE,
NAGLE,
FOOT,
ADAIR,
KNIGHT,
BURNS,
LEAVENS."

Moved by Cheadle, duly seconded, that the Majority report be adopted.

Moved by Adair, as a substitute motion, duly seconded, that the Minority report be adopted.

Question arising on the substitute motion, same was lost.

Question arising on the original motion, same carried.

"Mr. Speaker: We, the Majority of your Committee on Judiciary, having had under consideration House Bill No. 251, by Sample and Green of Dawson, respectfully report as follows: That House Bill No. 251 be amended as follows: By inserting the word "first" between "the" and "fourth" in line 7, of Section 1, and that as amended, House Bill No. 251 be printed and placed on General Orders.

BURNS,
FLACHSENHAR,
KNIGHT,
ROCKWOOD,
JAMESON,
CAVANAUGH,
NAGLE,
ADAIR,
BESANCON."

"Mr. Speaker: We, the Minority of your Committee on Judiciary, having had under consideration House Bill No. 251, by Sample and Green of

Dawson, respectfully report as follows: That House Bill No. 251 be printed and placed on General Orders without amendment.

CHEADLE."

Moved by Burns, duly seconded, that the Majority report be adopted.

Moved by Cheadle, as substitute motion, duly seconded, that the Majority report be adopted.

Moved by Bricker, as a substitute for all pending motions, duly seconded, that the bill do not pass.

Question arising on the substitute motion for all pending motions same was lost.

Question arising on the substitute motion, same carried.

"Mr. Speaker: We, the Majority of your Committee on Judiciary, having had under consideration Senate Bill No. 38, by Donovan, respectfully report as follows: That Senate Bill No. 38 be concurred in.

BURNS,
ADAIR,
NAGLE,
LAMB,
CAVANAUGH,
JAMESON,
LEAVENS,
KNIGHT,
FLACHSENHAR,
CHEADLE."

"Mr. Speaker: We, the Minority of your Committee on Judiciary, having had under consideration Senate Bill No. 38, by Donovan, respectfully report as follows: That Senate Bill No. 38 be not concurred in.

BESANCON,
ROCKWOOD."

Moved by Burns, duly seconded, that the Majority report be adopted.

Moved by Besancon, as a substitute motion, duly seconded, that the Minority report be adopted.

Question arising on the substitute motion, same was lost.

Question arising on the original motion, same carried.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 8, by Cheadle, respectfully report as follows: That House Joint Resolution No. 8 be adopted.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 252, introduced by Abrahamson, by request, respectfully report as follows: That House Bill No. 252 be amended by striking out the word "coke" wherever it appears in the title and in said bill, and that as so amended, the bill do pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 299, introduced by Foot, by request, respectfully report as follows: That House Bill No. 299 do not pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 130, by Harris, Miller of Fergus and Green of Fergus, respectfully report as follows: That House Bill No. 130 do not pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 180, by Logan, respectfully report as follows: That House Bill No. 180 do pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 232, introduced by Jameson, respectfully report as follows: That House Bill No. 232 do pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 276, introduced by Donaldson, respectfully report as follows: That House Bill No. 276 do not pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 286, introduced by Reed, respectfully report as follows: That House Bill No. 286 do pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

There being no objections, House reverted to order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Kroman, duly seconded and carried, that House Bill No. 262 be recalled from State Boards and Officers Committee and re-referred to Committee on Public Health and Sanitary Affairs.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:00 A. M., Wednesday, February 16th.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

FORTY-FIFTH DAY

House of Representatives,
Helena, Montana, February 16, 1927.

House convened, pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all members present except: Besancon, excused; Fulsher, excused on account of illness; Johnson, excused; Marshall, excused.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty-fourth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Horticulture, having had under consideration Senate Bill No. 75, introduced by Committee on Horticulture, respectfully report as follows: That Senate Bill No. 75 be concurred in.

MARSHALL, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 34, by Walker, respectfully report as follows: That Senate Bill No. 34 be not concurred in.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 102, by Tierney, respectfully report as follows: That House Bill No. 102 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 231, by Burns, respectfully report as follows: That House Bill No. 231 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 278, introduced by Chatham, respectfully report as follows: That House Bill No. 278 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 294, introduced by Rockwood, respectfully report as follows: That House Bill No. 294 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Railroads and Transportation having had under consideration House Bill No. 293, introduced by Larson and Sparling, respectfully report as follows: That House Bill No. 293 do not pass.

GREEN of Dawson, Chairman."

On motion of Green of Dawson, report adopted.

"Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Joint Memorial No. 2, introduced by Larson, Abrahamson, Sparling and Troy, respectfully report as follows: That House Joint Memorial No. 2 do not pass.

GREEN of Dawson, Chairman."

Moved by Green of Dawson, duly seconded, that the report be adopted.

Moved by Larson, as a substitute motion, duly seconded, that the resolution be printed and placed on General Orders.

Question arising on substitute motion, same was lost.

Question arising on the original motion, same carried.

"Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 209, introduced by Leavitt, respectfully report as follows: That House Bill No. 209 do not pass.

NELSTEAD, Chairman."

On motion of Nelstead, report adopted.

"Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 213, introduced by Committee on Dairying, respectfully report as follows: That House Bill No. 213, do not pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Sub. for House Bill No. 85 and House Bill No. 157.

GREEN of Dawson, Chairman."

Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill No. 128.

WAITE, Chairman."

The Speaker gave notice that he was about to sign House Bill No. 128, and thereupon signed the same.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times, by title and referred to the standing committees:

Senate Bill No. 2, by Mears: A Bill for an Act entitled: "An Act to amend Sections 8812 and 8813, Revised Codes of Montana, 1921, defining judicial districts within the State of Montana and designating the number of judges thereof, and abolishing the Twelfth Judicial District as now constituted, attaching Chouteau County to the Eighth Judicial District, and renumbering all districts from and subsequent to the Twelfth District to conform to the reduction herein made; and designating the number of judges for said districts." Referred to Judiciary Committee.

Substitute for Senate Bill No. 26, by Committee on Education: A Bill for an Act entitled: "An Act to amend Section 1075 of the Revised Codes of the State of Montana, 1921, relating to the tenure of office of teachers." Referred to Education Committee.

Senate Bill No. 56, by Garber: A Bill for an Act entitled: "An Act to amend Section 560 of the Revised Codes of Montana of 1921, relating to the transfer of an electors registration from one precinct to another precinct within the county." Referred to Committee on Privileges and Elections.

Senate Bill No. 62, by Duncan: A Bill for an Act entitled: "An Act to amend Section 443 of the Revised Codes of the State of Montana and Chapter 124 of the Eighteenth Legislative Assembly, amending said section relative to the allowance of traveling or other expenses of State, County, City, School Districts, Officers or Employees." Referred to Committee on Education.

Senate Bill No. 68, by Kemmis: A Bill for an Act entitled: "An Act requiring all persons, firms, co-partnerships, corporations and associations operating any public warehouse or warehouses and holding themselves out to the public as receiving agricultural seeds for storage from the public to secure a license and furnish a bond and prescribing the powers and duties of the commissioners of Agriculture." Referred to Committee on Agriculture.

Senate Bill No. 71, by Sibbert: A Bill for an Act entitled: "An Act to amend Section 3382, Revised Codes of Montana, 1921, as regards trespassing stock and providing that only nominal damages may be collected for a trespass unless notice is given within six months after alleged trespass demanding a sum certain in damages therefor." Referred to Committee on Livestock and Public Ranges.

Senate Bill No. 81, by Goodman: A Bill for an Act entitled: "An Act to amend Section 647 of the Revised Codes of Montana, 1921, relating to vacancies in nomination and how filled." Referred to Committee on Privileges and Elections.

Senate Bill No. 84, by Larson: A Bill for an Act entitled: "An Act to amend and re-enact Section 7173 of the Revised Codes of Montana, 1921, as amended by Section 3 of Chapter 157 of the Session Laws of the Eighteenth Legislative Assembly, relating to irrigation districts, salary of commissioners, penalty for interest in contract and bonds of commissioners." Referred to Committee on Irrigation and Water Rights.

Senate Joint Memorial No. 3, by Committee on Livestock and Grazing: "A Memorial to the Congress of the United States to enact such legislation as may be necessary to require payment of all moneys received from each forest reserve, after deducting administrative and other expenses, to the State or Territory in which such Forest Reserve is located for the

benefit of the public schools and public roads of such State or Territory Referred to Committee on Livestock and Public Ranges.

MOTIONS AND RESOLUTIONS

Moved by Donaldson, duly seconded and carried, that the House reconsider its action of House Bill No. 284.

Moved by Donaldson, duly seconded and carried, that House Bill No. 284 be re-referred to the Judiciary Committee.

Moved by Donaldson, duly seconded and carried, that House Bill No. 251 be recalled from the Printing Committee and re-referred to the Judiciary Committee.

Moved by Bricker, duly seconded and carried, that the Speaker appoint a committee of three to work with a like committee from the Senate for further investigation of the Secretary of State Department.

Moved by Bricker, duly seconded and carried, that the Sergeant-at-Arms be instructed and authorized to secure chairs for the mock session tomorrow night and pay for same out of the incidental expenses of this session.

Moved by Cheadle, duly seconded, that House Bill No. 190 be recalled from the Committee on State Lands and re-referred to the Printing Committee, ordered printed and placed on General Orders. Motion carried.

Moved by Cheadle, duly seconded, that Senate Bill No. 29 be recalled from the Committee on Public Morals, Charities and Reforms, and placed on General Orders. Motion carried.

At the request of Nelstead, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Workmens' Compensation, having had under consideration House Bill No. 178, introduced by Kelly, respectfully report as follows: That House Bill No. 178 be amended to read as follows: "Provided that for city or county employment no preference will be granted unless applicant under this Act is also a resident of the city or county in which employment is sought," and as amended this bill do pass.

NELSTEAD, Chairman."

On motion of Nelstead, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 267, introduced by Committee on Agriculture, respectfully report as follows: That House Bill No. 267 do pass.

BUDAS, Vice Chairman."

On motion of Budas, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration Substitute for House Bill No. 42, introduced by Bricker, respectfully report as follows: That Substitute for House Bill No. 42 do not pass.

BUDAS, Vice Chairman."

On motion of Budas, report adopted.

"Mr. Speaker: We, your Committee on Military Affairs, having had under consideration Senate Joint Memorial No. 1, introduced by Richardson, respectfully report as follows: That Senate Joint Memorial No. 1 be adopted.

WHITE, Chairman."

On motion of White, report adopted.

"Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration, House Bill No. 201, introduced by the Committee on Irrigation and Water Rights, respectfully report as follows: That House Bill No. 201 be amended as follows:

Amend the title on line 2 after the word "Sections" and immediately preceding the figures "7286" by inserting the figures "7284."

Add a new section to be called Section 1 which will read as follows:

"Section 1. Section 7284 of the Revised Codes of Montana of 1921, as amended by Chapter 50 of the Session Laws of the Nineteenth Legislative Assembly, be, and the same is, hereby amended so as to read as follows:

"Section 7284. If a vacancy occur in the board of commissioners the remaining members of the board shall elect some qualified elector to fill such vacancy and the person so elected shall hold such office for the unexpired term until his successor is elected and qualified, provided that the person so appointed must be appointed as a commissioner for the division in which such vacancy exists. But in the event there is a vacancy or vacancies in the board of commissioners by reason of no appointment being made due to the failure of the remaining members of the board to act, or on account of no election being held, then, in that event, the judge of the Court having jurisdiction over said Drainage district, shall, upon the receipt of a petition signed by ten per cent of the resident owners of land in said district, appoint to such vacancy or vacancies such person as the aforesaid petition may designate.'"

Amend Sections 1, 2, 3, 4, 5, 6, 7, 8 of the original bill by renumbering them so as to read as follows: Sections 2, 3, 4, 5, 6, 7, 8, 9.

Amend Section 2 on page 3, lines one and two by striking out the following words: "All lands included within the water shed of the proposed drainage system";

Amend Section 3, on page 5 and line 5 by striking out the word "mortgage."

And that House Bill No. 201 do pass as amended.

LILLIS, Chairman."

On motion of Lillis, report adopted.

"Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration Senate Bill No. 69, introduced by Committee on Irrigation and Water Rights, respectfully report as follows: That Senate Bill No. 69 be concurred in.

LILLIS, Chairman."

On motion of Lillis, report adopted.

"Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration Substitute for Senate Bill No. 32, introduced by Committee on Irrigation and Water Rights, respectfully report as follows: That Substitute for Senate Bill No. 32 be concurred in.

LILLIS, Chairman."

On motion of Lillis, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 169, introduced by Curran, respectfully report as follows: That House Bill No. 169 do not pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on State Board and Officers, having had under consideration House Bill No. 290, introduced by Jameson, Donaldson, Marshall and Nagle, respectfully report as follows: That House Bill No. 290 do not pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

There being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first time by title, second time at length, and referred to the Appropriations Committee:

House Bill No. 305, by Appropriations Committee: A Bill for an Act entitled: "A supplementary appropriation bill appropriating money to refund Fallon County for money paid to its sheriff, C. E. Burrell, for the extradition of Roy A. Gilman."

House Bill No. 306, by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate funds for the payment of claims due to the Industrial Accident Board of the State of Montana, as assessments against certain State institutions from January 1 to June 30, 1925."

House Bill No. 307, by Appropriations Committee: A Bill for an Act entitled: "An Act making an additional appropriation of money for the maintenance of certain State Departments for the period from July 1, 1925 up to and including June 30, 1927."

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Governor's Office.

Helena, Montana, February 15, 1927.

"The Speaker, House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

Sub. H. B. No. 5—Reserving to the State a preference right to purchase State General Fund Warrants.

Sub. H. B. No. 32—Relating to the redemption of real property from execution sales.

H. B. No. 65—Appropriation for payment of a claim of Frank R. Baney.

H. B. No. 68—Appropriation for payment of claims due the Industrial Accident Board as assessments against certain State institutions.

H. B. No. 80—Appropriation for operation and maintenance of the State Apiary Inspection Service.

H. B. No. 117—Providing a method by which a refund or drawback may be obtained of license taxes paid on gasoline handled.

H. B. No. 118—Dividing the State into districts and prescribing the manner and place in which the moneys of the State Highway Fund shall be expended by the State Highway Commission.

H. B. No. 119—Requiring all persons engaged in the business of selling, handling or using gasoline to pay to the State Treasurer certain license taxes.

J. E. ERICKSON, Governor."

There being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 171, introduced by Insurance Committee, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardecastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—85.

Noes: None.

Absent and not voting: Akofer, Besancon, Dunn, Foot, Fulsher, Hagerty, Holton, Johnson, Lamb, Lowry, Marshall, Nelson, Ryder, Shields, Troy, Waite, White. Total—17.

Substitute for House Bill No. 85, introduced by Committee on Townships and Counties, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Barry Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Plumer, Rife, Rockwood, Rognlien, Ryder, Sample, Stambaugh, Sutton, Thorburn, Throssel, Tierney, Tinsley, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—87.

Noes: None.

Absent and not voting: Akofer, Besancon, Fulsher, Hagerty, Holton, Johnson, Lamb, McLeod, Marshall, Rorvik, Shields, Sparling, Steeves, Troy, Waite. Total—15.

House Bill No. 157, introduced by Committee on Fish and Game, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—89.

Noes: None.

Absent and not voting: Akofer, Besancon, Fulsher, Hagerty, Holton, Johnson, Green (Fergus), Jones (Phillips), Lamb, Larson, Marshall, Ryder, Troy. Total—13.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under the same rules as adopted yesterday under General Orders.

Mr. Dellwo in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate amendments to House Bills Nos. 10, 76, 99, House Bills Nos. 69 and 95, respectfully report as follows: That Senate amendments to House Bill No. 10 be concurred in.

That Senate amendments to House Bill No. 76 be concurred in.

That Senate amendments to House Bill No. 99 be concurred in.

That consideration of House Bill No. 69 be passed for the day.

That House Bill No. 95 be amended as follows:

Section 1: By inserting at the end of line 15, of printed bill, the words "Provided that the words 'incorporated city or town' appearing in this Act shall include any county seats whether incorporated or not."

Section 14: By adding the words 'in case of volunteer or call mer the compensation shall not exceed the sum of seventy-five dollars per month.'

Section 15: By adding the words "in case of volunteer or call mer such pension shall not exceed the sum of seventy-five dollars per month," and that as so amended said House Bill No. 95 do pass.

DELLWO, Chairman."

Moved by Dellwo, duly seconded, that the report be adopted.

Moved by Plank, as a substitute motion, duly seconded, that House Bill No. 99 be segregated from the report.

Question arising on substitute motion, same carried.

Question arising on motion that report be adopted, as segregated, same carried.

At the request of Holton, there being no objections House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Holton, duly seconded, that the House reconsider its action on House Bill No. 190. Motion carried.

Moved by Holton, duly seconded and carried, that House Bill No. 190 be re-referred to Committee on State Lands.

Moved by Bricker, duly seconded and carried, that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

At the request of Leavens, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Leavens, duly seconded and carried, that House Bills Nos. 274 and 275 be taken from General Orders and re-referred to Committee on Livestock and Public Ranges.

Moved by Burns, duly seconded and carried, that the House reconsider its action on Senate Bill No. 34.

Moved by Burns, duly seconded and carried, that Senate Bill No. 34 be re-referred to Committee on Judiciary.

The Speaker at this time appointed the following committee to act with a like committee from the Senate in further investigation of the Secretary of State's Department: Moss of Flathead, Chairman; Green of Dawson, Dellwo of Lake.

SPECIAL ORDER

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of Special Order of Business set for 2:00 P. M., under the rules that the proponents and opponents of bills be allowed to talk ten minutes, and others five minutes, on the main bill; and that on amendments proponents and opponents be allowed five minutes and others three minutes; with no trading of time; and that the bill be read by history, title and section numbers only.

Mr. Cooney in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration, House Bill No. 186, respectfully report as follows: That House Bill No. 186 be amended as follows:

Title: By striking out in the eleventh line from the bottom, the words and figures "Sections 1805", and inserting in lieu thereof the words and figures "Section 1805, Section 1809," and also by striking out in the ninth and eighth lines from the bottom the words "Sections 1928 to 1948, both inclusive."

Section 9: By striking out in line four thereof, of printed bill, the word "agent" and inserting in lieu thereof the word "grant."

Section 14: By striking out in line 9 of printed bill, the word "their" and inserting in lieu thereof the word "his."

By striking out in line 4 the words, after words shall be "twenty-seven" and inserting in lieu thereof the words "twenty-four."

Section 15: By adding the letter "s" to the word "selection" in line 10 of printed bill, changing the word from singular to the plural form.

Section 16: In line 8, by inserting the word "or" between the word "city" and the word "within."

Section 17: Line 15, by adding the letter "s" to the word "value" in the said line, changing it from the singular to the plural form.

Section 19: By striking out in line 11 the word "preferable" and inserting in lieu thereof the word "preferably."

Section 20: By striking out all of Section 20.

Section 21: By striking out all of Section 21.

Section 22: By striking out in line 1 the word "for" and inserting in lieu thereof the word "to."

Section 22: By striking out all of Section 22.

Section 23: By striking out all of Section 23.

Section 26: By striking out in lines 12 and 13 the words "except for examining improvements on state lands as provided in this act."

Section 26: By striking out all of Section 26.

Section 30: By striking out in line 5 the word "duplicated" and inserting in lieu thereof the word "duplicates."

Section 27: By striking out all of Section 27.

Section 28: By striking out all of Section 28.

Section 29: By striking out all of Section 29.

Section 32: Line 1, by adding the letter "s" to the word "improvement," changing it from the singular to the plural form.

By inserting in line 14, between the syllable "ment" and the word "may" the word "justice."

Section 38: By striking out all of lines 1 to 9 inclusive in the printed bill, and on line 10 strike out the following words and figures "\$40.00 per section per annum;" and in lieu thereof insert the following words and figures: "Section 38. Rental. How Determined. The minimum annual rental for agricultural purposes shall be five per centum (5%) of the appraised valuation of such lands, but in no case less than (50) cents per acre. The maximum annual grazing rental for State Land shall not exceed \$100 per section, except where the leasing price is increased above this sum by competitive bidding. For the purpose of determining the rental price of grazing lands they shall be classified as follows:

Class 1. Extra Good Grazing Land	\$70.00 to \$90.00
Class 2. Good Grazing Land well sodded with grass	60.00
Class 3. Fair Grazing Land with medium grass	50.00
Class 4. Poor Grazing Land thinly grassed	40.00

Section 47: By striking out lines 29, 30, 31, 32 and 33 of the printed bill and inserting in lieu thereof the words "Before a lease is issued the new lessee, he shall show that he has paid the former lessee the value of the improvements as agreed upon by them or as fixed and terminated under the provisions of Section 32 of this Act, or that he offered to pay the value of such improvements as so fixed and determined or that the former lessee elects to remove the improvements."

By striking out in line 1, page 18 of printed bill, beginning in line 59 and everything thereafter, covering Sections 51, 52, 53, 54, 55, 56, 57, 58 and 59 and concluding with the word "constitution," line 15, page 22, of printed bill.

Section 86: By striking out in line five of printed bill, the words "nor to either the surface land nor", and inserting in lieu thereof the words "either the surface land or."

Section 87: By inserting in line 10 of printed bill between the words "purchaser" and the word "shall" the words "of mortgage lands" and by inserting in line 11 thereof between the word "such" and the word "lands" the word "mortgage" and also by inserting in line 13 between the word "the" and the word "land" the word "mortgage".

Section 101: By striking out in line 3 of printed bill the word "fifty" and inserting in lieu thereof the word "ten".

Section 109: By striking out in line 2 the word "accent" and inserting in lieu thereof the word "accept".

Section 111: By striking out all of lines 1 to 7 inclusive and the first three words of line eight and inserting in lieu thereof the following:

"Section 111. Re-purchase of Land Upon Which Certificate Has Been Cancelled. In all cases where a certificate of purchase heretofore issued has been cancelled as provided by Section 110 of this Act, upon written application to repurchase said lands made by the original purchaser, his heirs, assigns or devisees to the State Board of Land Commissioners filed within one year and ninety days from the date of cancellation of said certificate of purchase by the State, accompanied by a payment of ten per cent (10%) of the total amount then due the State, which total amount shall include the amount remaining unpaid to the State at the time said certificate was cancelled, and penalty interest at the rate of six per cent (6%) upon all delinquent installments from the date due until the date of repurchase and any taxes which may have been paid by the State on said lands or which may be delinquent at the time said application to repurchase is made, the State Board of Land Commissioners shall enter into a contract with such original purchaser, his heirs, assigns or devisees, for the sale of said lands, by which the balance of said sum shall be paid on the amortization plan during a period not exceeding thirty-five (35) years from the date of the execution of the contract as defined by this Act. Payment may be made in full at any time before maturity.

Such application shall take precedence over any application to purchase said lands by any person other than said original purchaser, his heirs, assigns or devisees. Provided, however, that the Board shall have, in its discretion, the power to convey by deed and take a mortgage to cover the balance due on said purchase price in lieu of the sale under contract above provided.

Section 113: By striking out in line 4 the word "or" and inserting in lieu thereof the word "of" and by striking out in line 5 thereof the word "of" and inserting in lieu thereof the word "or".

Section 114: By striking out in line 5 the words "March 1st" and inserting in lieu thereof the words "The first Monday of March" and also that the said section be further amended by striking out in line 6 thereof all the words following the period after the word "land" and by striking out all of lines 7, 8, 9 and 10.

Section 120: By adding in line 11, after the word "Montana", "and in interest bearing school district warrants."

Section 123: By adding in line 1 after the word "warrants" "or school district warrants."

Section 124: By striking out in line 5 the word "either".

Section 126: By replacing in line 2 the word "or" with a comma and adding after the word "warrants" "or school district warrants."

Section 130: By striking out in line 4 the last letter "s" in the word "commissioners," changing the word to its singular form.

By striking out in line 9 all the words after the word "however" and that portion of line 10 down to and including the word "case" and by striking out that part of line 13 beginning with the word "but" and all of lines 4, 15, 16.

Section 132: By striking out in line 12 the words "not less than fifteen" and in line 19 the word "six" and inserting in lieu thereof the word "ten" in line 12 and the word "five" in line 19.

By striking out in line 6 the words "in its discretion" and by striking out that part of line 25 beginning with the word "nothing" and all of lines 26, 27, 28 and 29.

Section 137: By striking out in line 4 the word "thereof" and inserting in lieu thereof the word "hereof".

Section 142: By striking out in line 21 the last letter "s" in the word "commissioners", changing the word to its singular form.

Section 145: Line 1, by striking out the words "Section 1805" and by inserting in lieu thereof the words "Section 1805, Section 1809," and that this section be further amended by striking out in line 3 thereof the words "Sections 1928 to 1948, both inclusive."

That House Bill No. 186 as amended be re-referred to Committee on State Lands.

COONEY, Chairman."

Moved by Cooney, duly seconded, that the report be adopted.

Moved by Plumer, as a substitute motion, duly seconded, that the enacting clause be stricken from the bill.

Question arising on the substitute motion, same failed.

Question arising on the original motion, same carried.

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 83, 116, 145, 146, 175, 177, 179, 183, 188, 193, 204 and House Joint Resolution No. 5.

GREEN of Dawson, Chairman."

Printing Committee reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 106, 203, 224, 255, 247, 266, Sub. H. B. Nos. 49 and 59, Sub. H. B. No. 227, House Joint Resolution No. 9 as correctly printed.

COONEY, Chairman."

Printing Committee reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report as follows: House Bills Nos. 217, 215, 221, 234, 237, 256 and House Joint Resolution No. 7 as correctly printed.

COONEY, Chairman."

Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 182, 160, 166 and 171.

WAITE, Chairman."

"Mr. Speaker: We, your Committee on Conservation of Resources, having had under consideration House Joint Resolution No. 10, introduced by Nelstead, Johnson, Holton, Bricker and Harris, respectfully report as follows: That House Joint Resolution No. 10 be adopted.

BRETZKE, Chairman."

On motion of Bretzke, report adopted.

"Mr. Speaker. We, your Committee on Livestock and Public Range, having had under consideration Senate Joint Memorial No. 3, introduced by Committee on Livestock and Grazing, respectfully report as follows: That Senate Joint Memorial No. 3 be concurred in.

LEAVENS, Chairman."

On motion of Leavens, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 98, introduced by Burns, respectfully report as follows: That House Bill No. 98 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 235, by Knight, respectfully report as follows: That House Bill No. 235 be amended as follows: That all of Section 5 after the word "provided" in line 4 of said Section be stricken out; that the word "information" in line 8 of Section 7 be stricken out; and the word "complaint" substituted therefor; that the word "information" in line of Section 8 be stricken out and the word "complaint" substituted therefor and that as amended, House Bill No. 235 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 261, introduced by Leavitt, respectfully report as follows: That House Bill No. 261 be amended as follows:

By inserting in line 12 of Section 2, between the words "published and "two" the following: "once a week for"; by inserting in line 6 of Section 3, between the words "published" and "in" the word "once"; by striking out the word "of" in line 7 of Section 3, and inserting in lieu thereof the word "or"; by striking out the words "for one week" in line 8 of Section 3 and inserting in lieu thereof the words "not less than seven days" by inserting in line 8 of Section 3, between the words "the" and "sale" the words "date of", and that as amended, House Bill No. 261 do pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Dairying, having had under consideration, House Bill No. 263, introduced by Gustafson, respectfully report as follows: That House Bill No. 263 do pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 202, introduced by Rockwood, respectfully report as follows: That House Bill No. 202 do not pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 233, introduced by Darlington, Dunn, Westlake, respectfully report as follows: That House Bill No. 233 do pass.

MOSS, Chairman."

On motion of Moss, report adopted.

The Speaker at this time excused the Committee on State Lands for a few minutes.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 172, introduced by Dougherty, respectfully report as follows:

That House Bill No. 172 be amended by striking out of the title the words:

"Regulating the tonnage thereon, fixing the wheelbase of said vehicles, and classifying the same, forbidding certain vehicles the use of the highways", also by striking out all of Sections 1, 2, 3, 4 and 5 of the bill, and that as so amended the bill do pass.

MOSS, Chairman."

On motion of Moss, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 36, introduced by Woodcock, respectfully report as follows: That House Bill No. 36 do not pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 46, introduced by Nelson, Leavitt, ample. Bretzke, Flachsenhar, Burns, respectfully report as follows: That House Bill No. 46 do not pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 70, introduced by Miller of Fergus, respectfully report as follows: That House Bill No. 70 be amended by striking out the following words at the end of Section 1 thereof: "when the time for redemption expires" and inserting in lieu thereof, "said tax deed may first be applied for as provided in Section 2209 of the Revised Codes of Montana, 1921."

That House Bill No. 70, as so amended, do pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 125, introduced by Johnson of Valley, respectfully report as follows: That House Bill No. 125 do pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 280, introduced by Arnold, respectfully report as follows: That House Bill No. 280 do not pass.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 250, introduced by Thorburn and Cheadle, respectfully report as follows: That House Bill No. 250 be printed and placed on General Orders, without recommendation.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 257, introduced by Cooney, respectfully report as follows:

That House Bill No. 257 be amended as follows:

1. By inserting in line 14 of the original bill, following the word "who" and preceding the word "violates" the words "wilfully and maliciously."
2. By striking out in line 14 the word "eighteen" and inserting in lieu thereof the word "sixteen".
3. By striking out in line 27 the words "drink is" and inserting in lieu thereof the words "beverages or intoxicating liquors are."

4. By striking out in line 9, page 2, the words "or who shall become addicted to the use of cigarettes", and as amended it do pass.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 48, introduced by Pauline, respectfully report as follows: That Senate Bill No. 48 be concurred in.

CLARKE, Chairman."

On motion of Clarke, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 208, introduced by Knight, respectfully report as follows: That House Bill No. 208 do pass.

CLARKE, Chairman."

On motion of Clarke, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 226, introduced by Shields, respectfully report as follows: That House Bill No. 226 do pass.

CLARKE, Chairman."

On motion of Clarke, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 268, introduced by Clausen, by request respectfully report as follows: That House Bill No. 268 be amended as follows: Amend the title by striking out in line 2 the figures "5268".

Amend Section 5 by striking out all of Section 5 and re-numbering Section 6 to read Section 5, Section 7 to read Section 6, Section 8 to read Section 7, Section 9 to read Section 8.

Amend Section 10 by striking out all of Section 10.

And that House Bill No. 268 do pass as amended.

CLARKE, Chairman."

On motion of Clarke, report adopted.

"Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 190, introduced by Committee on Petroleum Oil and Gas Affairs, respectfully report as follows: That House Bill No. 190 do not pass and that substitute for House Bill No. 190 reported here with do pass.

HOLTON, Chairman."

On motion of Holton, report adopted.

There being no objections, House reverted to Order of Business No. 7.

COMMUNICATIONS FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved, by Bricker, duly seconded and carried, that the communication from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 16, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day appointed the following Senators: Dowlin Brownlee and Goodman, as a conference committee to act with a like committee from the House to consider Senate amendments to House Bill No 143.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 16, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 155, introduced by Cavanaugh, was by the Committee on Judiciary this day reported for non-concurrence, report adopted and Bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 16, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following House Bills were this day read three several times, the agreed to, concurred in, and are herewith returned to the House:

House Bill No. 139, by Leavens.

House Bill No. 158, by Cheadle, Green of Fergus, Miller of Fergus and Boulton.

House Bill No. 124, by Stambaugh.

House Bill No. 103, by Throssel.

House Bill No. 73 by Donaldson.

House Bill No. 33, by Miller of Fergus.

House Bill No. 138 by Leavens.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 16, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Senate Bills were this day read three several times, the agreed to, and are herewith transmitted to the House for concurrence:

Senate Bill No. 67, introduced by Wuerthner, by request.

Senate Bill No. 72, introduced by Survant.

Senate Bill No. 105, introduced by McCone.

Senate Bill No. 100, introduced by Judiciary Committee.

Senate Bill No. 61, introduced by Goodman.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 16, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File report and recommend as follows:

That H. B. No. 138 be concurred in.

That H. B. No. 139 be concurred in.

That H. B. No. 158 be concurred in.

That H. B. No. 124 be concurred in.

That H. B. No. 103 be concurred in.

That H. B. No. 33 be concurred in.

That H. B. No. 73 be concurred in.

Report adopted. Afternoon Session.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 16, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows: Morning session. Report adopted.

That S. B. No. 36 be amended in Section 1 by striking out in line 5 the word "License" and inserting in lieu thereof the words "Certificate of Registration." Amend in Section 1 by striking out in line 5 of the printed bill the words and figures "One Dollar (\$1.00)" and inserting in lieu thereof the words "Twenty-five Cents", and, as so amended, the same do pass.

That consideration of S. B. No. 47 be passed.

That S. B. No. 67 do pass.

That S. B. No. 72 do pass.

That S. B. No. 92 be amended in Section 1 by striking out the word "Powell" from line 17 and inserting the word "Powell" in line 15. Amend in Section 1 by including the word "Stillwater" after the word "Yellowstone" in line 19 of the printed bill, and, as so amended, the same do pass.

That S. B. No. 100 do pass.

That S. B. No. 105 do pass.

That consideration of S. B. No. 17 be passed.

That S. B. No. 43 be amended in Section 1 by adding in line 34 after the word "statute" the following "Nothing herein contained shall be construed to amend or repeal Chapter 3 of the Session Laws of the Eighteenth Legislative Assembly", and, as amended, the same do pass.

That consideration of S. B. No. 20 be passed.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 16, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees have this day reported as follows:

Committee on Finance and Claims report that H. B. No. 184 be amended as follows:

By striking out Section 2 of the engrossed bill and inserting a new section to be known as Section 2, as follows:

"Section 2. The State Board of Examiners is hereby directed to purchase the above and foregoing described property, and the State Auditor is hereby directed to draw a warrant therefor on the State Treasurer for such amount, payable to the owner or owners thereof when the owner or owners thereof shall tender a warranty deed to the State of Montana, together with an abstract of title to the same, both approved by the Attorney General, and surrender possession of said property and the whole thereof to the State of Montana." Amend by adding a section to be known as Section 3, as follows:

"Section 3. This Act shall be in full force and effect from and after its passage and approval," and, as amended, the bill be concurred in.

Committee on Finance and Claims report that S. B. 129 be amended as follows:

Amend by inserting a new section after Section 3, to be known as Section 4, as follows:

"Section 4. That the annual compensation allowed to the Deputy Insurance Commissioner shall be \$3,000.00".

That Section 4 be renumbered to read Section 5 and that Section 5 be renumbered to read Section 6 and that as amended, the bill do pass.

Committee on Finance and Claims report that S. J. R. No. 10 be amended as follows:

Amend by striking out the words after the word "exceed" in line 14 page 1 of the original bill, and all of line 15 and inserting in lieu thereof the following:

"One newspaper in each county in the State, and", and, as amended the resolution do pass.

Committee on Fairs and Expositions report that H. B. No. 156 be amended as follows:

Amend by inserting after the words "County Fair" at the end of line 15, the following words: "or advertising the products and resources of their County," and, as so amended, the bill be concurred in.

Committee on Education report that S. B. No. 58 be amended as follows:

Amend on page 2, line 27, by inserting after the word "Schools" the following: "Provided that if there are 5 pupils or less, then the County Superintendent of Schools and trustees shall determine before any contracts are entered upon, whether such provisions of board, rent, transportation or tuition is justified by the circumstances and also what is a reasonable charge for board, rent transportation or tuition in every case where such measures have been adopted," and, as so amended, the bill do pass.

Committee on Taxation report that S. B. 109 be amended as follows:

Amend on page 2, line 16, after the word "paid", add the word "hereafter"; On page 4, in line 4, after the word "suit" add the following: "and,

in said suit, the court shall have complete jurisdiction to fix the amount of taxes which should have been paid and to determine all questions necessary in granting full relief, including the power, in appropriate cases to order any assessor or other tax officer to make and certify to the court a corrected or new assessment or to do any other act or thing necessary to enable the court to do complete justice in the premises";

On page 4, line 25, after the word "redemption", add the following: "If any tax deed or deed purporting to be such has been or shall be issued more than three years and thirty days after any tax sale or attempted tax sale, the grantee may publish in any newspaper in the county published in the county seat or if none, in any other newspaper once a week for two weeks a notice entitled 'a notice of claim of a tax title' which shall set forth a description of any property claimed to have been acquired by a tax deed, an estimate of the amount due thereon for taxes, interest and penalties, and a statement that for further particulars reference is made to the records in the office of the County Treasurer; also the name of the person claiming to have obtained a tax deed to said property and the name of the person in whose name said property was assessed or taxed and a statement that demand is made that such person shall, within (30) thirty days after the first publication of said notice, pay to said claimant or to the County Treasurer to his use the amount of the taxes, interest and penalties as the same may appear in the records of the County Treasurer or bring a suit to quiet his title or to set aside said tax deed or deeds. Any mistake in the amount or in any name specified in said notice shall not invalidate the same. If, within the said period of (30) thirty days, said taxes, interest and penalties shall not have been paid or said suit brought, all effects in the tax proceedings and any right of redemption shall be deemed waived and thereupon, irrespective of any irregularities, defects or omissions, or total failures to observe any of the provisions of the Statutes of Montana regarding the assessment, levying of taxes, or sale of property for taxes, and the giving of notices including notices of redemption, whether or not such omission or failures make said proceedings void (other than that the taxes were not delinquent or have been paid) the title to said property described in said notice and in the tax deed shall be valid and binding".

On page 5, in line 18, after the word "least" strike out the words and figures "fifteen per cent (15%)" and insert in lieu thereof the following words and figures: "Twenty-five (25%) per cent".

On page 5, line 25, after the word "term" add the following: "as shall be provided by a uniform contract prescribed by the Board of Equalization".

On page 5, in line 6, after the word "the" strike out the words "court house door" and insert in lieu thereof the following words: "front door of the court house"; and, as amended, the bill do pass.

Committee on Finance and Claims report S. B. No. 107 back without recommendation, also S. B. No. 127 without recommendation.

Committee on Finance and Claims report S. B. No. 128 do pass, and that H. B. No. 124 be concurred in.

Committee on Finance and Claims report H. B. No. 103 back without recommendation.

Committee on Roads and Highways report Sub. for S. B. No. 91 back with the recommendation that same do pass.

Committee on Roads and Highways report S. B. No. 70 back with recommendation that same do not pass.

Committee on Fairs and Expositions report that H. B. No. 158 be concurred in.

Committee on Mines and Mining report that H. B. No. 139 be concurred in.

Committee on Mines and Mining report that H. B. No. 138 be concurred in.

Committee on Constitutional Amendments report that S. B. No. 79 do not pass; that S. B. No. 80 do not pass.

Committee on Judiciary report that S. B. No. 33 do pass; that S. B. No. 106 do not pass; that S. B. No. 121 do not pass; that S. B. No. 134 do not pass; that S. B. No. 135 do not pass; that H. B. No. 73 do not concur in.

Committee on Judiciary report H. B. No. 33 and H. B. No. 73 without recommendation.

Committee on Irrigation and Water Rights report that S. B. No. 107 do not pass.

Committee on Irrigation and Water Rights report that S. B. No. 108 do not pass.

Committee on Irrigation and Water Rights report that S. B. No. 109 do not pass.

Afternoon Session.

Respectfully,

J. F. CONE, Secretary of Senate.

Moved by Bricker, duly seconded and carried that the House adjourn until 10:00 A. M., Thursday, February 17, 1927.

Attest:

G. T. DAVIS, Speaker

H. J. FAUST, Chief Clerk.

FORTY-SIXTH DAY

House of Representatives,

Helena, Montana, February 17, 1927.

House convened, pursuant to adjournment, at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all members present except: Fulsher, excused on account of illness; Johnson, excused, on account of illness.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty-fifth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 284, introduced by Larson and Abrahamson, respectfully report as follows: That House Bill No. 284 do not pass, and that Substitute for House Bill No. 284, by Judiciary Committee: A Bill of Montana 1921, relating to Judicial Districts and the number of Judges therein," be printed and placed on General Orders without recommendation. BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker. We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 198, introduced by Green Dawson, respectfully report as follows: That House Bill No. 198 be amended as follows: Section 1. Be amended by striking that part beginning with the word "must" in line three thereof and ending with the word "run" in line 6, and inserting in lieu thereof the following: "shall cause the said proposed amendment or amendments to be published in full in the

paper in each county of the State, if such there be," and by striking of Section 3 of said bill and as amended said bill do pass.

JAMESON, Chairman."

On motion of Jameson, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having under consideration House Bill No. 295, introduced by Jones of Phillips, respectfully report as follows: That House Bill No. 295 do not pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having under consideration House Bill No. 253, introduced by the Committee on Revenue and Taxation, at the request of the State Board of Equalization, respectfully report as follows: That House Bill No. 253 be amended as follows: By striking out all of Section 3 and substituting therefor the following:

"Section 3. This Act is hereby expressly declared to be retroactive and shall apply to all estates where the decedent died on or after the first day of June, 1924, and which estates remain undistributed on the date when this Act is passed and approved, provided that as to any such estate the tax imposed by authority of this section shall not exceed the amount for which credit is finally allowed to such estate by the United States upon the Federal Estate Tax for taxes due or paid the State of Montana and provided further that any tax collected by authority of this section shall be kept separate from other inheritance taxes collected until the amount of such credit is finally determined and shall, in accordance with Section 8 of Chapter 65, Laws of Montana of 1923, be refunded to the person or estate paying the same if and to the extent that credit therefor shall not be allowed the United States upon such Federal Estate Tax. If any tax shall have been paid by any executor, administrator, heir, legatee or devisee of any such decedent before the date when this Act takes effect, the amount of such tax so paid shall be allowed as a credit on the total amount of tax required to be paid by such executor, administrator, heir, legatee, or devisee under the provisions of this Act."

That House Bill No. 253, as so amended do pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having under consideration House Bill No. 243, introduced by Lowry, respectfully report as follows: That House Bill No. 243 be amended as follows: By striking out in line 21, Section 2, of the original bill, the words "two cents (2c)" and inserting in lieu thereof, "one-quarter cent ($\frac{1}{4}c$)", and by inserting a new section following Section 13, to be numbered 14; and renumbering Sections 14 and 15 to read 15 and 16; that the new Section No. 14, to read as follows: "Nothing in this Act contained shall be construed as applying to the use of casing head gas, or natural gas for heating or lighting purposes."

That House Bill No. 243, as so amended do pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having under consideration House Bill No. 254, introduced by the Committee on Revenue and Taxation, respectfully report as follows: That House Bill No. 254 do pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having under consideration House Bill No. 23, introduced by Troy, respectfully report as follows: That House Bill No. 23 do not pass.

BRICKER, Chairman."

Moved by Bricker, duly seconded, that the report be adopted.

Moved by Troy, as a substitute motion, duly seconded, that House Bill No. 23 be printed and placed on General Orders.

Moved by Flachsenhar, duly seconded and carried that the substitute motion be laid on the table.

"Mr. Speaker: We, your Committee on Banks and Banking, have had under consideration House Bill No. 148, introduced by Larson, Sparling, Tierney and Rorvik, respectfully report as follows: That House Bill No. 148 do not pass.

WAITE, Chairman."

Moved by White, duly seconded, that the report be adopted.

Moved by Sparling, as a substitute motion, duly seconded, that House Bill No. 148 be printed and placed on General Orders.

Moved by Waite, duly seconded that the substitute motion be laid on the table.

Question arising on motion to table the substitute motion, roll call having been demanded, same was carried by the following vote:

Ayes: Arnold, Ballard, Bretzke, Bricker, Brown, Budas, Burke, Busch, Cheadle, Clausen, Cooney, Darlington, Donaldson, Dunn, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Harris, Holton, Jones (Avalle), Knight, Knowles, Kroman, Leavens, Logan, Lowry, McLeod, Marshall, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nelstad, O'Day, Prescott, Reed, Rockwood, Ryder, Steeves, Sutton, Thorburn, Threlley, Waite, White, Willard, Mr. Speaker. Total—50.

Noes: Abrahamson, Adair, Akofer, Benjamin, Benson, Barry, Beston, Bonine, Cavanaugh, Chatham, Clarke, Curran, Dellwo, Doran, Erickson, Green (Dawson), Hardecastle, Jensen, Jones (Phillips), Jones (Cade), Kelly, Lamb, Larson, Lillis, McCleary, Mason, Mulholland, Nelson, Nicholson, Plank, Plumer, Rife, Rognlien, Rorvik, Sample, Shields, Sparling, Throssel, Tierney, Warren, Westlake, Woodcock. Total—42.

Absent and not voting: Dougherty, Fulsher, Hodgskiss, James, Johnson, Leavitt, Merritt, Moss, Stambaugh, Troy. Total—10.

"Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 196, introduced by the Committee on Banks and Banking, respectfully report as follows: That House Bill No. 196 do pass.

WAITE, Chairman."

On motion of Waite, report adopted.

"Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 126, introduced by Leavitt, respectfully report as follows: That House Bill No. 126, introduced by Leavitt, respectfully report as follows: That House Bill No. 126 do not pass.

WAITE, Chairman."

On motion of Waite, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 223, introduced by Donaldson, respectfully report as follows: That House Bill No. 223 do not pass.

REED, Chairman."

On motion of Reed, report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 260, introduced by Kroman, respectfully report as follows: That House Bill No. 260 be amended as follows: By striking out Section 2 and after so amended, do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 248, introduced by Lillis, respectfully report as follows: That House Bill No. 248 do not pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 269, by Moss, Dellwo, Bricker, Jones (Phillips), Leavens, Foot, respectfully report as follows: That House Bill No. 269 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 279, introduced by Arnold, respectfully report as follows: That House Bill No. 279 do not pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 189, introduced by Miller of Fergus, respectfully report as follows: That House Bill No. 189 do not pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 239, introduced by Johnson and Nelson, respectfully report as follows: That House Bill No. 239 be amended as follows: Amend Section 1, lines 5, 6 and 7, by striking out the sentence as follows: "In connection with the establishment of such factory, said Board of Prison Commissioners is hereby authorized to purchase in the open market, all necessary materials used in the manufacturing of wearing apparel", and inserting in lieu thereof the words, "In connection with the operation of such factory, the Warden shall make requisition to the Purchasing Department of the State for the purchase of all necessary materials used in the manufacturing of wearing apparel and products as contemplated by this Act."

Recommends the bill do pass as amended.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 303, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 303 do not pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 305, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 305 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 306, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 306 do pass.

Reed, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration, House Bill No. 307, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 307 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 283, introduced by Moss, respectfully report as follows: That House Bill No. 283 be amended as follows:

By striking out in Section 1 the words and figures, "Twenty-one Thousand Eight Hundred Ninety-one Dollars and Forty Cents (\$21,891.40)" and substituting the words and figures "Six Thousand Nine Hundred Ninety Dollars and Sixty-five Cents, (\$6,990.65)", after so amended do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Constitutional Amendments having had under consideration House Bill No. 214, introduced by Hon. Cavanaugh and Foot, respectfully report as follows: That House Bill No. 214 be amended as follows: That the title of said bill be amended by striking the word "Montana" in the second line thereof and inserting the word between the words "of" and "1921" in said second line; and Section 1, be amended by striking the first word of line 2, thereof and inserting the word "Montana" between the words "of" and "1921", and as so amended the bill do pass.

JAMESON, Chairman."

On motion of Knight, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 241, introduced by Kelly, Ballard, Chatham, Goodwin and Hardcastle, respectfully report as follows: That House Bill No. 241 be amended as follows:

1. In the title in line 2 after the word "of" strike out the words "first and second class counties" and insert in lieu thereof the words "all counties having a total registered vote of twenty-three thousand or over at the last general election" and also strike out all of lines 4 and 5 in the title.

2. Amend in Section 1 line 1 after the word "surveyor" by inserting the words "of all counties having a total registered vote of twenty-three thousand or over at the last general election."

3. Amend Section 2, by inserting in line 3 thereof after the word "surveyors" and before the word "in" the following: "of all counties having a total registered vote of twenty-three thousand or over at the last general election."

4. Amend Section 3 by striking out all of said section after the figure 3 and inserting in lieu thereof the following: "All Acts and parts of Acts in conflict herewith are hereby repealed," and that when said bill is amended that it do pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

Printing Committee report as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 16, 265, 302, 301, 238, 289, 222, 147, 304, 211, 219, 220, 210, 212, 136, 195, 113 as correctly printed.

COONEY, Chairman."

The Speaker gave notice that he was about to sign House Bill No. 166, 171 and 182 and thereupon signed the same.

There being no objections, House reverted to Order of Business No. 1.

INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first time by title, second time at length and referred to the Appropriations Committee:

House Bill No. 308, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the purpose of remodeling and enlarging one of the buildings at the Soldiers' Home for hospital purposes."

The following bills were introduced, read first and second time by title and referred to the standing committees:

Senate Bill No. 61, by Goodman: A Bill for an Act entitled: "An Act to amend Sections 715 and 717 of the Revised Codes of Montana of 1911 relating to electors voting by absent ballot and prescribing the form of application for such ballot." Referred to Privileges and Elections Committee.

Senate Bill No. 67, by Wuerthner, by request: A Bill for an Act entitled: "An Act prohibiting proprietors, managers or employees of public dance halls to permit minors under the age of eighteen years to frequent such halls." Referred to Public Morals, Charities and Reforms Committee.

Senate Bill No. 72, by Survant: A Bill for an Act entitled: "An Act to amend Section 2153 of the Revised Codes of Montana of 1921 relating to taxes on personal property; as amended by Chapter 18, Acts of the Nineteenth Legislative Assembly of the State of Montana." Referred to Revenue and Taxation Committee.

Senate Bill No. 100, by Judiciary Committee: A Bill for an Act entitled: "An Act fixing the annual compensation allowed to the official stenographer of the Supreme Court." Referred to Judiciary Committee.

Senate Bill No. 105, by McCabe: A Bill for an Act entitled: "An Act authorizing the Montana Pioneers' Association to erect a monument on the Capitol Grounds." Referred to Committee on State Institutions, Public Buildings and Grounds.

There being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Willard, duly seconded and carried, that in view of the fact that this is the eighty-third birthday of our Reverend Chaplain, that the felicitation of this House be extended to him and that he, in spite of his age, have many more healthy and happy years.

Moved by Cheadle, duly seconded, that the House reconsider its action on House Bill No. 190. Motion was lost.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Governor's office:

Helena, Montana, February 16, 1927.

Dear Mr. Speaker, House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved House Bill No. 128, relating to contracts by cities and towns for work, supplies and material.

J. E. ERICKSON, Governor."

Moved by Bricker, duly seconded and carried, that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

At the request of Bricker, House reverted to Order of Business No. 7.

COMMUNICATIONS FROM GOVERNOR AND SENATE

The following communication was received from the Senate and read by the Clerk:

Helena, Montana, February 17, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorably that, on motion duly made and seconded, the Senate requests the return of House Bill No. 124 for further consideration.

Respectfully,

J. F. CONE, Secretary of Senate."

On motion of Bricker, the request of the Senate was granted.

Moved by Bricker, duly seconded and carried, that the following communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 17, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorably that the Committee on Fish and Game, having had under consideration House Bill No. 45, introduced by Green of Fergus, reported and rec-

ommended the same for non-concurrence. Report adopted and b
herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate.

Helena, Montana, February 17, 1927

"Mr. Speaker: I am directed by the Senate to inform your Hono
Body that the following Senate Bills were this day read three se
times and passed, title agreed to, and are herewith transmitted to
House for concurrence:

S. B. No. 33, by Dowlin.

S. B. No. 36, by McCormick.

S. B. No. 43, by Wuerthner.

S. B. No. 94, by Dowlin.

S. B. No. 95 by Porter.

S. B. No. 97, by Eaton, Swift, Cowan and Smith.

S. B. No. 111, by Smith.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 17, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable
Body that upon roll call the Senate concurred in House Amendment to
Senate Joint Resolution No. 4.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 17, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable
Body that the following Standing Committees have this day reported as
follows: Reports adopted.

Committee on Fish and Game report that S. B. No. 110 do pass, and
Committee on Fish and Game report that H. B. No. 45 be not concurred in.

Committee on Fish and Game report S. B. No. 98 back without recom-
mendation and, on motion duly made and seconded, the Bill was ordered
printed.

Committee on Privileges and Elections report that S. B. No. 130 do pass.

Committee on Roads and Highways report that S. B. No. 87 do pass.

Committee on Constitutional Amendments report that S. B. No. 79
pass.

A majority of the Committee on Counties and Towns report that S. B.
No. 89 do not pass. Report not adopted.

A minority of the Committee on Counties and Towns report that S. B.
No. 89 do pass. Report was not adopted, but, on motion duly made and
seconded, the bill was ordered printed.

Committee on Railroads and Transportation report that H. B. No. 4
do pass.

Committee on Railroads and Transportation report that S. B. No. 1
120 do not pass.

Committee on Railroads and Transportation report that H. J. R. No. 1
4 do pass.

Committee on Constitutional Amendments report that S. B. No. 12
do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 17, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable

Bly that the Committee of the Whole, having had under consideration Business on General File, report and recommend as follows: Report adopted.

That consideration of S. B. No. 17 be passed.

That consideration of S. B. No. 20 be passed.

That consideration of S. B. No. 47 be passed.

That S. B. No. 94 do pass.

That S. B. No. 95 do pass.

That S. B. No. 97 do pass.

That S. B. No. 108 be amended in the title by inserting after the word "as" in line 4, the words "not called upon the presentation of a petition by twenty per cent of the tax paying electors of the county and was." Also amend in Section 1 by inserting in line 3, after the word "election" the words "was not called upon a petition of twenty percent of the qualified registered electors who are taxpayers upon property within said county and where the election," and that as, so amended, the same do pass.

That S. B. No. 111 do pass.

That consideration of S. B. No. 126 be passed.

That consideration of S. B. No. 63 be passed.

That S. B. No. 33 do pass.

That H. B. No. 156 be concurred in.

That H. B. No. 184 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

At the request of Bricker, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that the Chairman of the State Lands Committee appoint three members; that the Chairman of the Petroleum, Oil and Gas Affairs Committee appoint three members; and that the Speaker appoint a seventh member, for the consideration of amendments to Substitute House Bill No. 190.

Moved by Throssel, duly seconded and carried, that House Joint Resolution No. 7 be taken from General Orders and re-referred to Committee on Federal Relations.

Moved by Moss, duly seconded and carried, that the Select Committee pointed by the Speaker for the purpose of investigating the office of the Secretary of State, be empowered by this House to subpoena witnesses and examine them under oath relative to the matter under consideration. And that the Committee be authorized to employ stenographers to make a record of such testimony. And further that any expense incurred in said investigation be charged to the incidental expenses of the Twentieth Legislative Assembly. And further that the members of this Committee be excused from the sittings of this House when it is deemed that the work of said investigation so requires.

The Speaker appointed as the Seventh member of the Committee for consideration of amendments to Substitute House Bill No. 190, Jameson of Yellowstone.

On motion of Arnold, duly seconded and carried, Holton, Benjamin, and Jones were excused until 2:30 P. M.

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of Standing Committees were received:

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 205, introduced by Jameson and Arnold, respectfully report as follows: That House Bill No. 205 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Resolution No. 6, introduced by McCa, respectfully report as follows: That Senate Joint Resolution No. 6 be concurred in.

STAMBAUGH, Chairman."

On motion of Stambaugh, report adopted.

"Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration Senate Bill No. 84, introduced by Lars, respectfully report as follows: That Senate Bill No. 84 be amended as follows:

Amend line 31 on page 1, of Section 1 by striking out the word "thousand" and inserting in lieu thereof the word "hundred."

And that Senate Bill No. 84 as amended be concurred in.

LILLIS, Chairman."

On motion of Lillis, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 292, introduced by Foot, respectfully report as follows: That House Bill No. 285 do pass.

NELSON, Chairman."

On motion of Nelson, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 292, introduced by Foot, respectfully report as follows: That House Bill No. 292 do not pass.

NELSON, Chairman."

On motion of Nelson, report adopted.

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 71, introduced by Sibbe, respectfully report as follows: That Senate Bill No. 71 be concurred in.

LEAVENS, Chairman."

On motion of Leavens, report adopted.

"Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 67, introduced by Wuerthner by request, respectfully report as follows: That Senate Bill No. 67 be concurred in.

WILLARD, Chairman."

On motion of Willard, report adopted.

"Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 262, introduced by Thorburn and Kroman by request, respectfully report as follows: That House Bill No. 262 do pass.

KROMAN, Chairman."

On motion of Kroman, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 264, introduced by Knight, Budas, Miller, Lincoln, Woodcock, Sutton, Jones of Ravalli, respectfully report as follows: That House Bill No. 264 do not pass, but that Substitute House Bill No. 264, by the Committee on Education, which bill is submitted herewith, be printed and placed on General Orders without recommendation.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

Printing Committee reported as follows:

"Mr. Speaker: We, your Committee on Printing respectfully report House Bills No. 180, 242, 252, 259, 271, 281, 286, 288, 287, 291, 298 and House Joint Resolution No. 8 as correctly printed.

COONEY, Chairman."

At the request of Bricker, there being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, and that on discussion of the main bill, proponents and opponents be allowed to talk five minutes and others three minutes; that on amendments proponents and opponents be allowed three minutes and others two minutes; with no trading of time; that each member be allowed to talk only once, except proponents and opponents; that the bills be read by title, title and section numbers only; and that all Senate amendments to House bills be passed until the House Bills have all been considered; and that the point of order will be raised for not conforming to rules.

Mr. Nagle in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 69, 109, 187, 216, Sub. H. B. No. 218, House Bill No. 229, respectfully report as follows: That House Bill No. 69 be amended as follows:

Section 1: By striking out all of Subdivision "c" thereof, after the letter "c" and insert in lieu thereof the following: "The term 'transportation company' when used in this act means every corporation, person, their executors, trustees, receivers, or trustees appointed by any court whatsoever, owning, controlling, operating, or managing any motor vehicle, motor truck, motor bus, bus trailer, semi-trailer, or other trailer in connection herewith, used in the business of a common carrier for compensation over any public highway in this State between fixed termini or over regular or irregular routes within or without the limits of any incorporated city or town, and shall also include any person, firm, or corporation maintaining a public motor vehicle stand, or any sign, symbol, or device on vehicle or building, or be advertisement, holds forth transportation for compensation, or solicits the transportation of persons or property for compensation among the public at trains, hotels, or other public places."

Section 2: By striking out in line 3 thereof, the words "corporation or person" and inserting in lieu thereof the words "transportation company"; Also by striking out in line 6 thereof, the words "for the transportation of persons or property" and inserting in lieu thereof, the words "as a common carrier."

Section 3: By adding thereto the following: "Provided, however, that such railroad commissioners shall not have the authority to limit the number of transportation companies as defined in Section 1 of this Act operating within the limits of an incorporated city or town and shall not have the authority to prescribe or fix the rates, fare, or charges made by such transportation companies." And that as so amended said House Bill No. 69 do pass.

That House Bill No. 109 be amended as follows:

Section 1: By striking out in line 4 the words "conclusively presumed", and inserting in lieu thereof the words "prima facie evidence," and that as so amended said House Bill No. 109 do pass.

That House Bill No. 187 be amended as follows:

Section 2: By striking out in line 8 the first six words up to "any" and inserting in lieu thereof the words "or any part or portion thereof, or any"; and that as so amended, said House Bill No. 187 do pass.

That House Bill No. 216 be amended as follows:

Section 1: By striking out in line 6, after the word "or" the word "semi-weekly" and inserting in lieu thereof the word "semi-monthly"; and that as so amended, said House Bill No. 216 do pass.

That Sub. House Bill No. 218 do pass.

That House Bill No. 229 do pass.

NAGLE, Chairman."

On motion of Nagle, report adopted.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House do resolve itself into Committee of the Whole for consideration of General Orders, under the same rules previously adopted.

Mr. Nagle in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 106, 203, 215, 247, 266, 217, 224, 234, 237, respectfully report as follows:

That House Bill No. 106 be passed for the time.

That House Bill No. 203 do pass.

That House Bill No. 215 do pass.

That House Bill No. 247 do pass.

That House Bill No. 266 do pass.

That House Bill No. 217 do pass.

That consideration of House Bill No. 224 be passed for the time.

That House Bill No. 234 be amended as follows:

Title: By striking out in line 2 after the word "and", the words "The State Department of Public Welfare" and inserting in lieu thereof the words "the State Bureau of Child and Animal Protection," and that as so amended House Bill No. 234 do pass.

That consideration of House Bill No. 237 be passed for the day.

NAGLE, Chairman."

On motion of Nagle, report adopted.

Printing Committee reported as follows:

"Mr. Speaker: Your Committee on Printing, respectfully report House Bill No. 244 as correctly printed.

COONEY, Chairman."

At the request of Bricker, there being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

Senate Amendments to House Bill No. 10, introduced by Leavitt, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Curran, Donaldson, Doran, Dunn, Ericson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagert, Harris, Hodgskiss, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Nagle, Nelson, Nelstee, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvi, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—85.

Noes: Plumer. Total—1.

Absent and not voting: Barry, Brown, Clausen, Darlington, Dellw, Dougherty, Fulsher, Green (Dawson), Hardcastle, Jameson, Johnson, Kell, Moss, Murphy, Waite, Willard. Total—16.

Senate amendments to House Bill No. 76, introduced by Johnson, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Curran, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: Plumer. Total—1.

Absent and not voting: Benjamin, Brown, Clausen, Darlington, Dellwo, Dougherty, Fulsher, Green (Dawson), Hardcastle, Jameson, Johnson, Kelly, Moss, Murphy, Waite. Total—15.

House Bill No. 83, introduced by Cooney, Jones of Cascade, Brown, O'Day, Jensen, Shields, Darlington, Dunn and Westlake, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Sample, Shields, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—89.

Noes: Larson, Sparling. Total—2.

Absent and not voting: Adair, Brown, Fulsher, Hardcastle, Jameson, Johnson, Kelly, Moss, Mulholland, Rorvik, Ryder. Total—11.

House Bill No. 116, introduced by Hodgskiss, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Arnold, Ballard, Benjamin, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: Abrahamson, McCleary, Mason. Total—3.

Absent and not voting: Adair, Benson, Brown, Fulsher, Hardcastle, Jameson, Johnson, Kelly, Larson, Nelson, Prescott, Westlake, White. Total—13.

House Bill No. 145, introduced by Bricker, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—87.

Noes: None.

Absent and not voting: Adair, Barry, Brown, Darlington, Dellwo, Donaldson, Fulsher, Hardcastle, Holton, Jameson, Johnson, Kelly, Mulholland, Shields, White. Total—15.

House Bill No. 146, introduced by Moss, Rockwood, Foot and Rognlien having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McLeod, Marshall, Miller (Lincoln), Moss, Nagle, Nelstead, O'Day, Plank, Plumer, Prescott, Reed, Rockwood, Rognlien, Rorvik, Ryder, Shields, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—75.

Noes: Arnold, Burke, Flachsenhar, Goodwin, Green (Fergus), McCleary, Mason, Merritt, Miller (Fergus), Moulton, Mulholland, Murphy, Nelson, Nicholson, Rife, Stambaugh, Tinsley. Total—17.

Absent and not voting: Brown, Chatham, Fulsher, Hardcastle, Holton, Jameson, Johnson, Kelly, Sample, Sparling. Total—10.

House Bill No. 175, introduced by Cooney, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jones (Phillips), Jones (Ravalli), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Rockwood, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: Prescott. Total—1.

Absent and not voting: Benson, Barry, Brown, Dougherty, Fulsher, Hardcastle, Jameson, Jensen, Johnson, Jones (Cascade), Kelly, Moss, Reed, Rife, Rognlien, Rorvik, Sample. Total—17.

House Bill No. 177, introduced by Arnold, Erickson, Merritt, and Jameson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Goodwin,

reen (Fergus), Green (Dawson), Gustafson, Hagerty, Hodgskiss, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—88.

Noes: Larson, Sparling. Total—2.

Absent and not voting: Brown, Dougherty, Fulsher, Hardcastle, Har-
s, Jameson, Johnson, Kelly, McLeod, Moss, Nelson, Tierney. Total—12.

House Bill No. 179, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—90.

Noes: None.

Absent and not voting: Curran, Dellwo, Dougherty, Fulsher, Green (Dawson), Hardcastle, Jameson, Johnson, Kelly, McCleary, Moss, Mulholland. Total—12.

House Bill No. 183, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Adair, Akofer, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Jensen, Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Throssel, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—85.

Noes: Abrahamson, Green (Fergus). Total—2.

Absent and not voting: Arnold, Brown, Fulsher, Hardcastle, Holton, Jameson, Johnson, Jones (Phillips), Kelly, Moss, Mulholland, Prescott, Thorburn, Tierney, Tinsley. Total—15.

House Bill No. 188, introduced by Jones of Cascade, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall,

Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Nagle, Nel-
 Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Ro-
 gnlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Tho-
 burn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, Will-
 Willard, Woodcock, Mr. Speaker. Total—87.

Noes: Benson, Knowles, Sample. Total—3.

Absent and not voting: Brown, Cooney, Fulsher, Hardcastle, Ho-
 ton, Jameson, Johnson, Kelly, Moss, Mulholland, Murphy, Reed. Total—1

At the request of Cheadle, there being no objections, House reverted
 Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Cheadle, duly seconded and carried, that House Bill No. 19
 be taken from Third Reading and placed on General Orders.

There being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

House Bill No. 204, introduced by Burns, Rockwood, Moss and Foo-
 having been read three several times, title and history agreed to, was
 passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Ben-
 son, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cav-
 anaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Dellwo,
 Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Gree-
 (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Holton,
 Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles,
 Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod,
 Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Mul-
 holland, Murphy, Nelson, Nelstead, Nicholson, Plank, Prescott, Reed, Rock-
 wood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Steeves, Throssel,
 Tierney, Tinsley, Troy, Waite, Westlake, White, Willard, Mr. Speaker
 Total—83.

Noes: None.

Absent and not voting: Brown, Curran, Dougherty, Fulsher, Hard-
 castle, Jameson, Johnson, Kelly, Logan, Moulton, Nagle, O'Day, Plumer,
 Rife, Stambaugh, Sutton, Thorburn, Warren, Woodcock. Total—19.

House Joint Resolution No. 5, introduced by Burns, Bretzke, Ryder,
 Cheadle, having been read three several times, title and history agreed to,
 was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson,
 Besancon, Bonine, Bretzke, Bricker, Burke, Cavanaugh, Chatham, Cheadle,
 Clarke, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson,
 Foot, Flachsenhar, Goodwin, Green (Dawson), Gustafson, Hagerty, Harris,
 Hodgskiss, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cas-
 cade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt,
 Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller
 (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle,
 Nelson, Nelstead, Nicholson, O'Day, Plumer, Prescott, Reed, Rife, Rock-
 wood, Rognlien, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel,
 Tierney, Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr.
 Speaker. Total—84.

Noes: None.

Absent and not voting: Barry, Brown, Budas, Burns, Clausen, Cooney,
 Dellwo, Fulsher, Green (Fergus), Hardcastle, Jameson, Johnson, Plank,
 Rorvik, Ryder, Sample, Shields, Westlake. Total—18.

At the request of Bricker, there being no objections, House reverted
 to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced by the Appropriations Committee, read first time by title, second time at length and referred to the Appropriations Committee:

House Bill No. 309, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the payment of the Claim of Andy Brisco as compensation or as a pension for injuries received while on duty in the service of the State of Montana as a private in the Service Company, 163rd Infantry, Montana National Guard."

House Bill No. 310, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the erection and equipment of buildings and for the operation and maintenance of the Eastern State Normal School at Billings for the period beginning July 1, 1927 and ending June 30, 1929."

The following Senate Bills were introduced, read first and second times by title and referred to the Standing Committees:

Senate Bill No. 33, by Dowlin: "An Act providing for the valuation and assessments of property for assessment and taxation in the year 1927, and every two years thereafter." Referred to Committee on Revenue and Taxation.

Senate Bill No. 36, by McCormick, by request: "An Act to amend Section 11 of Chapter 113, of the Session Acts of the Nineteenth Legislative Assembly of Montana of 1925 relating to certificates of registration of motor vehicles." Referred to Committee on Highways.

Senate Bill No. 43, by Wuerthner: "An Act amending Section 273 of the Revised Codes of Montana, 1921, authorizing the State Board of Examiners to fix the number, compensation, term and tenure of office of all assistants, clerks and stenographers employed by civil executive state officers and limiting the compensation to be fixed by said Board to that heretofore allowed by law and providing for report to the Legislative Assembly and repealing all Acts or parts of Acts in conflict herewith." Referred to Committee on Revenue and Taxation.

Senate Bill No. 94, by Dowlin by request: "An Act to amend Chapter 30, of the Session Laws of the Eighteenth Legislative Assembly as amended by Chapter 85 of the Nineteenth Legislative Assembly, relating to the publication of the report of the State Examiner, covering the examination of the various county offices." Referred to Committee on Townships and Counties.

Senate Bill No. 95, by Porter: A Bill for an Act entitled: "An Act providing for a dormitory petty cash fund for any high school operating a dormitory and prescribing the method of handling such fund." Referred to Committee on Education.

Senate Bill No. 97, by Eaton, Swift, Cowan and Smith: A Bill for an Act entitled: "An Act to amend Section 831, Revised Codes, 1921, relating to the appointment of members of the State Board of Education and providing regulations and restrictions for their appointment." Referred to Committee on Education.

Senate Bill No. 111, by Smith: "An Act to amend Section 1271 of the Revised Codes of Montana of 1921, as amended by Chapter 127 of the Session Laws of 1923 relating to the power and duties of Boards of Trustees of County High Schools, and requiring Boards to provide accommodations for mid-year classes where twenty or more beginning students present themselves for admission." Referred to Committee on Education.

The Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 33, 73, 103, 138, 139 and 158.

WAITE, Chairman."

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:00 A. M., Friday, February 18, 1927.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

FORTY-SEVENTH DAY

House of Representatives,
Helena, Montana, February 18, 1927.

House convened, pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all members present except: Fulsher, excused on account of illness; Hardcastle, absent; Kelly, absent.

Journal Committee report as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty sixth legislative day, find the same to be correct.

DARLINTON, Chairman."

On motion of Darlington, report adopted.

REPORTS OF SELECT COMMITTEES

The following report of Select Committee was received:

"Mr. Speaker: We, your Conference Committee, appointed to act with a like Committee from the House, to consider Senate amendments to House Bill No. 143, beg leave to report and recommend that the Senate recede from its position relative to said Senate amendments.

Senate: Dowlin, Goodman, Brownlee, House: Leavens, Harris, Rife.

The conference report was adopted by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jensen, Jones, (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorv'k, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—94.

Noes: None.

Absent and not voting: Fulsher, Hardcastle, Jameson, Johnson, Kelly, Moss, Nagle, Nelstead. Total—8.

The Speaker gave notice that he was about to sign Senate Joint Resolution No. 4, and thereupon signed the same.

The Speaker gave notice that he was about to sign House Bill No. 33 and thereupon signed the same.

REPORTS OF STANDING COMMITTEES

The following reports of Standing Committees were received:

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Sub. H. B. No. 12, House bills Nos. 123, 150, 218, 229.

GREEN of Dawson, Chairman."

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 274, introduced by Livestock and Public Ranges Committee, respectfully report as follows: That House bill No. 274, be amended as follows: Amend the Title to read: "An Act to amend Section 5176 of the Revised Codes of Montana, 1921, relating to impounding animals by incorporated cities and towns, and the sale of the same."

Amend Section 1, in line one of the printed bill, by striking the figures "5175" and inserting in lieu thereof the figures "5176"; and by inserting in the same line after the word "Codes" the words "of Montana, 1921"; and by striking lines 3 to 9 inclusive, and inserting in lieu thereof the following: "Section 5176. Contents of Notice.—Said notice shall be in writing and shall give the number, description, marks and brands of such stock when impounded, seized, restrained or held, with the reasons therefor, together with the amount of charges, if any, which charges shall be reasonable, and in no case exceed the actual cost of holding, and what disposition will be made of said stock if such charges are not paid, and when and where such disposition shall be made.

LEAVENS, Chairman."

On motion of Leavens, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration, House Bill No. 308, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 308 do pass."

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration, Senate Bill No. 105, by McCabe, respectfully report as follows: That Senate Bill No. 105 be concurred in.

ARNOLD, Chairman."

On motion of Arnold, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 296, introduced by Ryder, respectfully report as follows: That House Bill No. 296 do pass.

TROY, Chairman."

On motion of Troy, report adopted.

The Speaker gave notice that he was about to sign House Bills No. 73, 103, 138, 139, 158 and thereupon signed said bills.

"Mr. Speaker: We, the Majority of your Committee on Education, having had under consideration, House Bill No. 297, introduced by Rorvik, respectfully report as follows: That House Bill No. 297 be amended by inserting after the word "teacher" in line 2 of the original bill the following:

"Provided she has given her written consent thereto," and as amended that the bill be printed and placed on General Orders without recommendation.

FLACHSENHAR.
MARSHALL.
ROCKWOOD.
MERRITT.
LEAVITT.
CURRAN.
JAMESON.
WHITE."

"Mr. Speaker: We, the minority of your Committee on Education, having had under consideration House Bill No. 297, introduced by Rorvik, respectfully report as follows: That House Bill No. 297 do not pass.

SPARLING.
MULHOLLAND.
DOUGHERTY.
TIERNEY.
DELLWO.
PLANK.
TROY."

Moved by Marshall, duly seconded, that the majority report be adopted

Moved by Dellwo, as a substitute motion, duly seconded, that the minority report be adopted.

Question arising on the substitute motion, same was carried by the following vote, roll call having been demanded:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Barry, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Dellwo, Donaldson, Doran, Dougherty, Goodwin, Green (Dawson), Hagerty, Harris, Holton, Jones (Phillips), Jones (Cascade), Knight, Lamb, Larson, Lowry, Mason, Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Plank, Plumer, Rife, Rognlien, Sample, Sparling, Steeves, Tierney, Troy, Warren, Woodcock, Moulton. Total—53.

Noes: Benson, Besancon, Bretzke, Burns, Curran, Darlinton, Dunn, Erickson, Foot, Flachsenhar, Hodgskiss, Jensen, Knowles, Kroman, Leavens, Leavitt, Lillis, Logan, McCleary, Marshall, Merritt, Miller (Fergus), Prescott, Rockwood, Rorvik, Ryder, Stambaugh, Sutton, Throssel, Tinsley, Waite, Westlake, Willard, Mr. Speaker. Total—34.

Absent and not voting: Fulsher, Green (Fergus), Gustafson, Hardcastle, Jameson, Johnson, Jones (Ravalli), Kelly, McLeod, Moss, Nelstead, Reed, Shields, Thorburn, White. Total—15.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 228, introduced by Barry and Ballard, respectfully report as follows: That House Bill No. 228 be amended as follows: Section 1, Subsection 13, by striking out in line 13 on page 7 to line 5 on page 8, inclusive, and inserting in lieu thereof the words, "Whenever any other vehicle than a motor vehicle shall be traveling along a public highway, a red flag not less than 12 inches in width shall be displayed at the extreme rear of the load, as a warning signal to persons operating vehicles approaching from the rear. This provision shall apply during the period from one hour before sunrise to one hour after sunset. Whenever any vehicle other than a motor vehicle shall be driving along a public highway during the period from one hour after sunset to one hour before sunrise, said vehicle shall be required to carry a light on the left side of side vehicle in such a manner that it shall be visible to persons approaching said vehicle in either direction," and as so amended, that said bill do pass.

MOSS, Chairman."

On motion of Green of Dawson, report adopted.

Printing Committee reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully reports House Bill No. Sub. 190, as correctly printed.

COONEY, Chairman."

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Governor:

Helena, Montana, February 17, 1927.

The Speaker, House of Representatives,
Helena, Montana.

I have the honor to transmit herewith a certified copy of Senate Joint Memorial No. 1 of the Legislative Assembly of the State of Wyoming, for such consideration as your honorable body may deem appropriate.

J. E. ERICKSON, Governor."

Moved by Bricker, duly seconded and carried, that the following communication from the Governor, be considered read at length and the Journal so show.

THE STATE OF WYOMING
OFFICE OF THE SECRETARY OF STATE

United States of America, ss.
State of Wyoming.

I, A. M. Clarke, Secretary of State of the State of Wyoming, do hereby certify that the annexed is a full, true and correct copy of the Enrolled Joint Memorial No. 1, of the Senate of the Nineteenth Legislature of the State of Wyoming, being Original Senate Joint Memorial No. 2, as approved by the Governor of the State of Wyoming.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Wyoming.

Done at Cheyenne, the Capital, this 15th day of February A. D. 1927.

(Great Seal)

A. M. CLARK,
Secretary of State.

By H. M. SYMONS, Deputy.

ENROLLED JOINT MEMORIAL NO. 1, SENATE NINETEENTH
LEGISLATURE OF THE STATE OF WYOMING

Memorializing Congress to prevent the increase of grazing fees on the National Forests.

WHEREAS, An increase in the grazing fees in the National Forests seem imminent from reports received; and,

WHEREAS, The livestock industry together with agriculture is the basic industry of our State, upon which all other industries are largely dependent; and,

WHEREAS, The livestock industry has not recovered from the recent overwhelming disaster, which has extended to every agricultural enterprise in this State, whereby every business in the State has suffered, and is still suffering almost beyond endurance; and,

WHEREAS, The stockmen of this State are over-burdened at this time with excessive forest fees, for grazing stock on ranges which should properly belong to the state; and,

WHEREAS, Any further advance in fees will be ruinous to stockmen at this time and for many years to come; and,

WHEREAS, The Department of Agriculture is commercializing our National Forests at the expense of the business interests of the state; and,

WHEREAS, the comparison of rentals from the National Forest grazing permits with the rentals from privately owned pasture and range is misleading and erroneous in that the privately owned pastures and ranges permit the building up of purebred herds and the grazing of same during the whole year as against a short period of time on the National Forests grazing permits; and,

WHEREAS, More protection is furnished in the privately owned pastures as against that furnished in the National Forest grazing permits that they are equipped with sheds, corrals and fences; and,

WHEREAS, The dates of ingress to the National Forest and egress therefrom are fixed dates; and,

WHEREAS, The cost of the use of same is paid in advance; and,

WHEREAS, Severe storms and heavy snows compel the removal of stock therefrom before expiration of the allotted time which thereby reduces the value of grazing permits; and,

WHEREAS, The National Government is benefited to a great extent by the control and prevention of forest fires by the grazing of livestock in said National Forests.

THEREFORE, BE IT RESOLVED, By the Senate of the State of Wyoming, the House of Representatives concurring, that the Congress of the United States be memorialized to prevail upon the Secretary of Agriculture, to prevent the increase of forest fees in the several grazing districts in the grazing states, and to the effect that they remain as they now are for the next ensuing ten (10) year period.

BE IT FURTHER RESOLVED, That copies of this memorial be sent to our Senators, Honorable Frances E. Warren and Honorable John B. Kendrick, and our Representative, the Honorable Charles E. Winter, and to the Honorable Secretary of Agriculture, Wm. M. Jardine, and the Governor of all Western States that have National Forests within their boundaries urging their cooperation.

A. W. McCOLLOUGH,
Speaker of the House.

Approved 2 P. M., Feb. 14, 1927.

PERRY. W. JENKINS,
President of the Senate.

FRANK EMERSON,
Governor.

On motion of Bricker, Third Reading of House Bills was passed for the present.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under the same rules adopted yesterday.

Mr. Waite in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration, House Bills Nos. 106, 222, 221, 224, Sub. H. B. No. 227, House Bills Nos. 237, 255, 256, 193, Sub. for House Bills Nos. 49 and 59, respectfully report as follows:

That House Bill No. 106 do pass.

That consideration of House Bills Nos. 222 and 221 be passed for the time.

That consideration of House Bill No. 224 be passed for the day.

That Sub. for House Bill No. 227 do pass.

That consideration of House Bill No. 237 be passed for the time being.

That House Bill No. 255 do pass.

That House Bill No. 256 do pass.

That House Bill No. 193 be amended as follows:

Section 1: By striking out in line 24 of printed bill, the period and inserting a comma and adding "or in which Mariahuana (Cannabis Indica) is present in quantities not greater than one-fourth grain of the solid extract to the fluid or avoirdupois ounce."

And that as so amended, said House Bill No. 193 do pass.

That Sub. for House Bills Nos. 49 and 59 be amended as follows: By inserting in line 3 of the printed bill, at the beginning of the line "Section 2235," and that as so amended, said bill do pass.

WAITE, Chairman."

On motion of Waite, report adopted.

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under same rules as previous sitting.

Mr. Waite in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration, House Joint Resolution No. 9, House Bills Nos. 16, 265, 301, 302, 238, 289, 147, 304, respectfully report as follows:

That House Joint Resolution No. 9 be adopted.

That House Bill No. 16 do pass.

That House Bill No. 265 do pass.

That House Bill No. 301 do pass.

That House Bill No. 302 do pass.

That House Bill No. 238 do pass.

That House Bill No. 289, be amended as follows: By placing the words "Section 1" at the beginning of line 1 of the printed bill, and, that as so amended, said House Bill No. 289 do pass.

That House Bill No. 147 do pass.

That House Bill No. 304 be amended as follows:

Section 1: By striking out in lines 24 and 26 of the printed bill, the words and figures Seventy Five Thousand Dollars (\$75,000), and inserting in lieu thereof the words and figures Eighty Five Thousand Dollars (\$85,000).

Section 2: By striking out in line 27 of printed bill, the words and figures Seventy Five Thousand Dollars (\$75,000) and inserting in lieu thereof the words and figures Eighty Five Thousand Dollars (\$85,000), and that as so amended said House Bill No. 304 do pass. WAITE, Chairman."

On motion of Waite, report adopted.

Moved by Bricker, duly seconded and carried, that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

Printing Committee reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bill No. 267 as correctly printed.

COONEY, Chairman."

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 69, 95, 109, 187, 203, 215, 216, 217, 234, 247, 266.

GREEN of Dawson, Chairman."

At the request of Bricker, there being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

Substitute for House Bill No. 12, introduced by Committee on Revenue and Taxation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nelson, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: Tinsley. Total—1.

Absent and not voting: Cooney, Doran, Fulsher, Hardcastle, Hodgskiss, Holton, Lowry, Mason, Merritt, Moss, Mulholland, Nelstead, O'Day, Ryder, Tierney. Total—15.

House Bill No. 123, introduced by Donaldson and Reed, having been read three several times, title and history agreed to, was rejected by the following vote:

Ayes: Benjamin, Bricker, Burke, Cavanaugh, Clarke, Darlington, Donaldson, Dougherty, Dunn, Flachsenhar, Hagerty, Jensen, Jones (Ravalli), Knight, Kroman, Leavens, Lillis, Merritt, Murphy, Nelstead, Reed, Rife, Rognlien, Shields, Throssel, Troy, Warren, Westlake, White. Total—29.

Noes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benson, Barry, Besancon, Bretzke, Brown, Budas, Burns, Chatham, Cheadle, Clausen, Cooney, Curran, Doran, Erickson, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Harris, Hodgskiss, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knowles, Lamb, Larson, Leavitt, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Nagle, Nelson, Nicholson, Plank, Plumer, Prescott, Rockwood, Rorvik, Ryder, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Tierney, Tinsley, Waite, Willard, Woodcock, Mr. Speaker. Total—61.

Absent and not voting: Bonine, Dellwo, Foot, Fulsher, Hardcastle, Holton, Jameson, Logan, Moss, Mulholland, O'Day, Sample. Total—12.

House Bill No. 150, introduced by Marshall, Dellwo, Stambaugh and Holton, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Clarke, Cooney, Curran, Darlington, Dellwo, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Burns, Cheadle, Clausen, Donaldson, Doran, Foot, Fulsher, Hardcastle, Holton, Jameson, Logan, Moss, O'Day, Rognlien, Rorvik, Sample. Total—16.

Substitute for House Bill No. 218, introduced by Committee on State Institutions, Public Buildings and Grounds, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Hagerty, Harris, Hodgskiss, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—90.

Noes: None.

Absent and not voting: Arnold, Cheadle, Donaldson, Foot, Fulsher, Gustafson, Hardcastle, Holton, Jameson, Logan, Moss, O'Day. Total—12.

House Bill No. 229, introduced by Committee on Livestock and Public Ranges, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Hagerty, Harris, Hodgskiss, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Arnold, Bricker, Donaldson, Foot, Fulsher, Gustafson, Hardcastle, Holton, Jameson, Jones (Phillips), Logan, Moss, Nelson, O'Day, Sample, Stambaugh. Total—16.

House Bill No. 69, introduced by Dunn, Moss, Nagle and Throssel, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlington, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nicholson, Plank, Plumer, Prescott, Rife, Rockwood, Rorvik, Ryder, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—80.

Noes: None.

Absent and not voting: Arnold, Bricker, Cheadle, Dellwo, Donaldson, Doran, Foot, Fulsher, Hardcastle, Holton, Jameson, Kroman, Logan, Mc-

Leod, Moss, Moulton, Nelstead, O'Day, Reed, Rognlien, Sample, Stambaugh. Total—22.

House Bill No. 95, introduced by Burke, Nagle, Dunn and Lillis, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Benjamin, Benson, Bonine, Bretzke, Bricker, Budas, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Curran, Darlinton, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Fergus), Gustafson, Harris, Hodgskiss, Holton, Jameson, Johnson, Jones (Phillips), Jones (Ravalli), Kroman, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Nagle, Nelson, Nicholson, Plank, Reed, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Troy, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—67.

Noes: Abrahamson, Ballard, Barry, Besancon, Burke, Chatham, Cooney, Doran, Goodwin, Green (Dawson), Jones (Cascade), Kelly, Knight, Knowles, Lamb, McCleary, Marshall, Mulholland, Murphy, Plumer, Prescott, Rife, Tierney, Tinsley, Waite, Warren. Total—26.

Absent and not voting: Brown, Fulsher, Hagerty, Hardcastle, Jensen, McLeod, Nelstead, O'Day, Sample. Total—9.

House Bill No. 109, introduced by Adair, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Chatham, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Dougherty, Dunn, Erickson, Flachsenhar, Gustafson, Hagerty, Harris, Hodgskiss, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Lamb, Larson, Lowry, McCleary, Marshall, Mason, Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rognlien, Shields, Sparling, Steeves, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—67.

Noes: Cavanaugh, Goodwin, Green (Fergus), Green (Dawson), Knight, Knowles, Leavens, Leavitt, Lillis, Logan, Merritt, Miller (Fergus), Moulton, Rockwood, Rorvik, Ryder, Stambaugh, Sutton, Waite. Total—19.

Absent and not voting: Arnold, Brown, Cheadle, Dellwo, Doran, Foot, Fulsher, Hardcastle, Holton, Jameson, Kroman, McLeod, Moss, Nelstead, O'Day, Sample. Total—16.

House Bill No. 187, introduced by Cooney and Arnold, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burns, Cavanaugh, Chatham, Clarke, Cooney, Curran, Darlinton, Donaldson, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Lamb, Larson, Leavens, Leavitt, Logan, Lowry, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nicholson, Plank, Plumer, Reed, Rife, Rockwood, Rognlien, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—79.

Noes: McCleary. Total—1.

Absent and not voting: Arnold, Brown, Burke, Cheadle, Clausen, Dellwo, Doran, Foot, Fulsher, Hardcastle, Holton, Jameson, Kroman, Lillis, Moss, Nagle, Nelstead, O'Day, Prescott, Rorvik, Sample, Throssel. Total—22.

House Bill No. 203, introduced by Committee on Irrigation and Water Rights, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Barry, Bonine, Bretzke, Bricker, Budas, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Dougherty, Dunn, Erickson, Goodwin, Gustafson, Hagerty, Harris, Hodgskiss, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, Mason, Merritt, Miller (Fergus), Moulton, Murphy, Nagle, Nelson, Nicholson, Plank, Plumer, Reed, Rife, Rockwood, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Waite, Westlake, White, Willard, Mr. Speaker. Total—65.

Noes: Besancon, Flachsenhar, Green (Dawson), Lamb, McLeod, Marshall, Miller (Lincoln), Mulholland, Prescott, Rognlien, Tinsley, Woodcock. Total—12.

Absent and not voting: Arnold, Brown, Burke, Cheadle, Dellwo, Doran, Foot, Fulsher, Green (Fergus), Hardcastle, Holton, Jameson, Jensen, Kroman, Moss, Nelstead, O'Day, Rorvik, Ryder, Sample, Shields, Throssel, Tierney, Troy, Warren. Total—25.

House Bill No. 215, introduced by Committee on Irrigation and Water Rights, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Knight, Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Shields, Sparling, Steeves, Sutton, Thorburn, Tierney, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—78.

Noes: Throssel, Tinsley. Total—2.

Absent and not voting: Arnold, Barry, Brown, Cheadle, Dellwo, Foot, Fulsher, Hardcastle, Hodgskiss, Holton, Jameson, Jones (Cascade), Kelly, Kroman, Merritt, Moss, Nelstead, O'Day, Ryder, Sample, Stambaugh, Troy. Total—22.

House Bill No. 216, introduced by Gustafson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nicholson, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—81.

Noes: Plumer. Total—1.

Absent and not voting: Arnold, Barry, Cheadle, Dellwo, Foot, Fulsher, Hardcastle, Hodgskiss, Holton, Jameson, Kroman, Moss, Moulton, Nelstead, O'Day, Ryder, Sample, Shields, Troy, Waite. Total—20.

House Bill No. 217, introduced by Hodgskiss, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Clausen, Cooney, Curran, Darlinton, Donaldson, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Harris, Hodgskiss, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Leavens, Leavitt, Lillis, Logan, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nicholson, Plank, Plumer, Prescott, Rife, Rognlien, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—73.

Noes: Clarke, Lamb, Larson, McCleary, Mulholland, Rockwood, Rorvik. Total—7.

Absent and not voting: Arnold, Cheadle, Dellwo, Foot, Fulsher, Green (Dawson), Hardcastle, Holton, Jameson, Kroman, Lowry, Moss, Nelson, Nelstead, O'Day, Reed, Ryder, Sample, Shields, Sparling, Troy, Waite. Total—22.

House Bill No. 234, introduced by Throssel, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Ballard, Benjamin, Benson, Barry, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlinton, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Mr. Speaker. Total—80.

Noes: Knowles. Total—1.

Absent and not voting: Akofer, Arnold, Besancon, Cheadle, Dellwo, Donaldson, Foot, Fulsher, Hardcastle, Holton, Jameson, Kroman, Moss, Nelstead, O'Day, Ryder, Sample, Shields, Sparling, Troy, Woodcock. Total—21.

House Bill No. 247, introduced by White, Leavens and Jones of Cascade, by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Barry, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Doran, Dunn, Erickson, Flachsenhar, Goodwin, Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting: Arnold, Besancon, Cheadle, Dellwo, Dougherty, Foot, Fulsher, Green (Fergus), Hardcastle, Holton, Jameson, Kroman, Moss, Nelstead, O'Day, Rorvik, Ryder, Sample, Shields, Sparling, Troy. Total—21.

House Bill No. 266, introduced by Plank, Tinsley, Rife and Bonine, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Barry, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Doran,

ougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mullan, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—85.

Noes: None.

Absent and not voting. Arnold, Besancon, Cheadle, Dellwo, Foot, Fuller, Hardcastle, Holton, Jameson, Kroman, Moss, O'Day, Rorvik, Ryder, Sample, Shields, Troy. Total—17.

At the request of Bricker, there being no objections, House reverted to order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that the following bills now on General Orders be placed at the bottom of the list of General Orders: House Bills Nos. 113, 212, 211, 210, 242, 259 and 287.

Moved by Bricker, duly seconded and carried, that this body, the House of Representatives of the State of Montana, authorize the Speaker and the Chief Clerk to send a telegram to the President of the United States recommending that he sign the McNary-Haugen bill.

Moved by Marshall, duly seconded and carried, that House Bill No. 286 coming up under General Orders for today be passed for the day.

At the request of Bricker, there being no objections, House reverted to order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole, for consideration of General Orders, under the same rules adopted yesterday under General Orders.

Mr. Bretzke in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 237, 219, 220, 232, 195, 180, 244, 252, 271, 281, respectfully report as follows:

That House Bill No. 237 be amended as follows:

The Title: By adding thereto the following "Providing for collection and distribution of fees, prescribing penalties."

Section 7: By striking out in line 2 of printed bill the words "both he" and the word "and" in same line; also the following words in line "if both the father and mother are living" and inserting in lieu thereof the word "or" in line 2 after the word "father".

Section 5: By inserting in line 6, of printed bill, after the word "military" the following "naval or marine;" also after the word "enlisted" in line 6 add "or commissioned."

Section 18: By striking out Section 18 and renumbering all subsequent sections to conform therewith."

Section 19: By striking out line 1 to 9 inclusive, of printed bill, and inserting in lieu thereof the following:

"Section 19: The devisions head shall at the end of each month deduct from all fees paid under the provisions of this Act twenty-five per cent

(25%) in payment of all expenses of his department, and shall transfer the remainder of the fees so paid to the County Treasurer of each county from which the license fees were remitted, twenty-five per cent (25%) of which remainder shall be paid by such County Treasurer to the Sheriff of his county, in full payment of all fees and expenses incurred by the Sheriff in the collection and remittance of licenses herein provided; and the remainder of such money shall be credited to the Road Fund of such county"; also by striking out lines 19, 20, and 21 of said Section 19 of the printed bill, and that as so amended said House Bill No. 237 do pass.

That House Bill No. 219 do pass.

That House Bill No. 220 do pass.

That House Bill No. 232 do pass.

That House Bill No. 195 do pass.

That House Bill No. 180 do pass.

That House Bill No. 244 do pass.

That House Bill No. 252 do pass.

That House Bill No. 271 do pass.

That House Bill No. 281 be amended as follows:

Section 1: By inserting in line 7 after the word "mortgaged" the words "for."

And that as so amended said House Bill No. 281 do pass.

BRETZKE, Chairman."

On motion of Bretzke, report adopted.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under the rules of previous sitting.

Mr. Bretzke in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills No. 288, 291, 298, 136, House Joint Resolution No. 8, Senate amendments to House Bill No. 99, Senate Bills Nos. 24, 37, 38, 45, 29, respectfully report as follows: That House Bill No. 288 do pass.

That House Bill No. 291 do pass.

That House Bill No. 298 do pass.

That House Bill No. 136 do pass.

That House Joint Resolution No. 8 do pass.

That Senate amendments to House Bill No. 99 be not concurred in and that a conference committee be requested.

That Senate Bill No. 24 be concurred in.

That Senate Bill No. 35 be concurred in.

That Senate Bill No. 37 be concurred in.

That Senate Bill No. 38 be concurred in.

That Senate Bill No. 45 be concurred in.

That Senate Bill No. 29 be concurred in.

BRETZKE, Chairman."

On motion of Bretzke, report adopted.

There being no objections, House reverted to Order of Business No. 4

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:
Committee on Engrossing report as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 9, 16, 106, 147, 27, 238, 255, 256, 265, 301, 302.

GREEN of Dawson, Chairman."

Committee on Printing reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 125, 201, 250 and House Joint Resolution No. 10 as correctly printed.

COONEY, Chairman."

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 98, 178, 208, 226, 233, 263, as correctly printed.

COONEY, Chairman."

Committee on Enrolling reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 10 and 76.

WAITE, Chairman."

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Resolution No. 7, introduced by Throssel, respectfully report as follows: That House Joint Resolution No. 7 do not pass.

STAMBAUGH, Chairman."

On motion of Stambaugh, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 76, introduced by Judiciary Committee, respectfully report as follows: That Senate Bill No. 76 be concurred in.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Substitute for House Bill No. 22, introduced by Judiciary Committee, respectfully report as follows: That Senate Substitute for House Bill No. 22 be amended as follows: Commencing with the word "Nothing" in line 22, Section 1, strike out all of last sentence of said Section; strike out the words "more than" in line 1, page 2, Section 2, and that as amended, Senate Substitute for House Bill No. 22 be concurred in.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 270, introduced by Logan, respectfully report as follows: That House Bill No. 270 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 273, introduced by Curran, respectfully report as follows: That House Bill No. 273 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 272, introduced by Curran, respectfully report as follows: That House Bill No. 272 do not pass.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 309, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 309, do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 163 introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 163 be amended as follows:

Amend Section 1 by striking out in line 15 the words and figures "Ten Thousand Dollars (\$10,000.00)", and inserting in lieu thereof the words and figures "Fifteen Thousand Dollars (\$15,000.00)". By striking out all of line 10 and the words and figures "Twenty-three hundred Dollars (\$2300.00)" in line 11, and inserting in lieu thereof after the word "Employees" the words and figures "Forty-seven Hundred Dollars (\$4700.00)". By striking out in line 19 the words and figures "Eight Thousand Dollars (\$8,000.00)" and inserting in lieu thereof the words and figures "Twelve Thousand Dollars (\$12,000.00)". By striking out in line 32 the words and figures "Sixty-four Hundred Dollars (\$6400.00)" and inserting in lieu thereof the words and figures "Twenty-four Hundred Dollars, (\$2400.00)".

Amend Section 2 by striking out in line 15 the words and figures "Ten Thousand Dollars (\$10,000.00)" and inserting in lieu thereof the words and figures "Fifteen Thousand Dollars (\$15,000.00)". By striking out all of line 10 and words and figures "Twenty-three Hundred Dollars (\$2300.00)" in line 11 and inserting in lieu thereof after the word "Employees" the words and figures "Forty-seven Hundred Dollars (\$4700.00)". By striking out in line 19 the words and figures "Eight Thousand Dollars, (\$8,000.00)" and inserting in lieu thereof the words and figures "Twelve Thousand Dollars (\$12,000.00)". By striking out in line 31 the words and figures "Sixty-four Hundred Dollars (\$6400.00)" and inserting in lieu thereof the words and figures "Twenty-four Hundred Dollars (\$2400.00)".

Recommends the bill do pass as amended.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 277, by Committee on Agriculture by request respectfully report as follows: That House Bill No. 277 be amended as follows: By striking out in Section 1, line 7 the words "fan or French weed;" and to amend Section 9 by striking out Section 9 and renumbering Sections 10, 11, 12, 13, 14, 15, 16 to read Sections 9, 10, 11, 12, 13, 14, and 15 and as so amended House Bill No. 277 do pass.

BUDAS, Vice-Chairman."

On motion of Budas, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Bill No. 68, introduced by Kemmis, respectfully report as follows: That Senate Bill No. 68 be amended as follows: By inserting a new section to be known as Section 9 to read as follows:

"Section 9. Cooperative associations or cooperative corporations who are licensed to handle agricultural seeds as herein provided may reserve sufficient storage space to provide for the storage of such agricultural seed that may reasonably be expected to be tendered for storage by their members before receiving seeds for storage from non-members. If for any reason the preceding part of this section shall be declared invalid then cooperative associations and cooperative corporations when licensed to handle agricultural seeds shall be subject to the same terms and conditions as others licensed to handle seeds as in the other parts of this act provided, and the remaining parts of this Act shall not be affected," and to renumber Sections 9 and 10 to read Sections 10 and 11, and as amended Senate Bill No. 68 be concurred in.

BUDAS Vice-Chairman."

On motion of Budas, report adopted.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:00 A. M., Saturday, February 19, 1927.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

FORTY-EIGHTH DAY

House of Representatives,
Helena, Montana, February 19, 1927.

House convened pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all members present except: Doran, absent; Fulsher, excused on account of illness; Sample, absent; Knight, absent.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal having examined the Journal for the forty-seventh legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlinton, report adopted.

The Speaker at this time, excused the attorneys of the House to attend memorial exercises for the late Justice Holloway.

The Speaker gave notice that he was about to sign House Bills Nos. 1 and 76 and thereupon signed same.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills No. Nos. 195, 220, 252, 271.

GREEN of Dawson, Chairman."

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried that the Communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 18, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following House bills were this day reported back from the standing committees with the recommendation that they be not concurred in. Reports adopted and bills are herewith returned to the House.

H. B. No. 38 by Leavitt.

H. B. No. 61 by Abrahamson.

H. B. No. 151 by Dellwo, Burns and Warren.

H. B. No. 185 by Nagle.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 18, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Senate bills were this day read three several times, and passed, title and history agreed to, and are herewith transmitted to the House for concurrence:

S. B. No. 108, by Kemmis.

S. B. No. 101, by Hazelbaker, Dowlin and Sibbert.

S. B. No. 113 by Greenup.

S. B. No. 114, by Greenup.

S. B. No. 126, by Committee on Education.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 18, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 184 was this day read three several times and concurred in as amended by Committee on Finance and Claims, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

By striking out Section 2 of the engrossed bill and inserting a new Section to be known as Section 2, as follows:

"Section 2. The State Board of Examiners is hereby directed to purchase the above and foregoing described property, and the State Auditor is hereby directed to draw a warrant therefor on the State Treasurer for such amount, payable to the owner or owners thereof when the owner or owners thereof shall tender a warranty deed to the State of Montana, together with an abstract of title to the same, both approved by the Attorney General, and surrender possession of said property and the whole thereof to the State of Montana."

Amend by adding a section to be known as Section 3, as follows:

"Section 3. This Act shall be in full force and effect from and after its passage and approval."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 18, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 156 was this day read three several times and concurred in as amended by Committee on Fairs and Expositions, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Amend by inserting after the words "County Fair" at the end of line 15, the following words "or advertising the products and resources of the County."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 18, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows:

That S. B. No. 17 be amended in Section 3 by striking out in line three and five the word "Commissioners" and inserting in lieu thereof the word "Commissioner Districts," and, as so amended, the bill do pass.

That S. B. No. 20 do pass.

That the enacting clause be stricken from S. B. No. 47.

That S. B. No. 126 do pass.

That S. B. No. 63 be amended in Section 2 of the printed bill by striking out the period at the end of the sentence on line 7 thereof, and inserting a semi-colon in lieu thereof and by adding the following to said Section: "Provided however, that any of said property which might deteriorate in value by being kept shall be appraised by the said purchasing agent, and the said custodian may sell any articles so appraised for not less than such appraised value to any department of the State government, and all moneys received from articles so sold shall forthwith be paid over by said custodian to the State Treasurer which shall be credited to the General Fund of the State and against the expenses of the Legislative Department. In the event of the sales of any articles by virtue of this provision, the said custodian shall, in lieu of delivering the same to the respective Sergeants-at-Arms of the next session of the Montana Legislature, deliver to them a list of the articles sold, together with a list of the prices received and receipts of the State Treasurer therefor," and, as amended, the same do pass.

That S. B. No. 99 be amended in Section 2 by inserting in line 5 after the word "Montana" the words "whose tenure of office shall be fixed by the State Board of Education."

Amend in Section 2 by striking out in line 24, page 2, after the word "reservation" the word "must" and inserting in lieu thereof the word "may", and, as amended, the bill do pass.

That S. B. No. 101 do pass.

That S. B. No. 113 do pass.

That S. B. No. 114 do pass.

That S. B. No. 42 be amended in Section 1 by adding thereto the following:

"The County Clerk shall not retain in his possession any such withdrawal petition, or any part thereof, for a longer period than two days for the first two hundred signatures, and one additional day for each two hundred additional signatures, or fraction thereof, on the withdrawal petitions presented to him, and at the expiration of said time he shall forward the same to the Secretary of State with his certificate attached hereto, as hereinabove provided. Such withdrawal petitions shall be filed with the Secretary of State within fifteen days after the last day upon which initiative or referendum petitions may be filed", and as amended, the same do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 18, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following standing committees have this day reported as follows: Reports adopted.

Committee on Privileges and Elections report that S. B. No. 93 be amended as follows:

Amend the title so as to read as follows:

"An Act to amend Section 103 of the Revised Codes of Montana of 1921, relating to the certification, entitling and numbering of initiative and referendum measures; requiring the printing of all such measures and of all proposed constitutional amendments on the official ballot prescribed by Sec. 678 R. C. M. 1921, and repealing all Acts and parts of Acts in conflict herewith."

Amend Section 1 of S. B. No. 93 by adding at the end thereof as a part of said section, the following:

"All constitutional amendments submitted to the qualified electors of the State shall likewise be placed upon the official ballot prescribed by said Section 678 and no such amendment shall hereafter be submitted on a separate ballot. Nothing herein contained shall be deemed to change the existing laws of the State regulating in other respects the manner of submitting such proposed amendments," and, as amended, the same do pass.

Committee on Privileges and Elections report that H. B. No. 81 be amended as follows: Strike out the word "elect" in line 12, page 1, of the Engrossed Bill and insert the word "nominate" in lieu thereof.

Insert the words "elect their" before the word "Delegates" in line 2, Section 2. Strike out in line 28, page 2, of the engrossed bill, the words "to the depositions aforesaid" and insert in lieu thereof the words "as delegates to the National convention of said party; and certificates of nominations for presidential electors for said party which shall be filed with the Secretary of State." Amend by striking out all of Section 9, and, as amended, the bill be concurred in.

Committee on Roads and Highways, report that H. B. No. 107 be amended as follows: Amend by striking out in lines 4 and 5 the following: "As amended by Chapter 107, Laws of the Eighteenth Legislative Assembly, 1923." Amend by striking out in lines 11 and 12 the following: "As

amended by Chapter 107, Laws of the Eighteenth Legislative Assembly 1923," and, as amended, the bill do pass.

Committee on Roads and Highways report that S. B. No. 131 be amended as follows: Amend Section 2 by striking out the word "by" in line 4 and inserting in lieu thereof the word "be" and as amended, the bill do pass.

Committee on Federal Relations report that S. J. R. No. 8 be amended as follows: Amend by striking out the last paragraph which includes that portion beginning with line 26 on page 2 to line 6 on page 3, inclusive, and, as so amended, the bill do pass.

Committee on Education report that S. B. No. 125 be amended as follows: Amend on page 1, line 20, by striking out the entire line and inserting in lieu thereof "Between the 15th day of September and the 15th day of October of". Amend in line 26, page 1, by inserting after the second word "District" the word "School".

Amend in line 29, page 1, by striking out the words "have resided" and inserting in lieu thereof the words "be residing", and in the same line by striking out the word "September" and inserting the word "October" in lieu thereof. Amend on page 2, line 5, by inserting after the second word "district" the word "school."

Amend in line 15, page 2, by striking out the word "September" and inserting the word "October".

Amend in line 24, page 2, by striking out the word "September" and inserting the word "October", and, as amended, the same do pass.

Committee on Judiciary report that S. B. No. 133 be amended as follows:

Amend in line 4 of the typewritten bill by striking out the word "in" and inserting in lieu thereof the word "not" so that said line will read "and not less than thirty days before the election" instead of "and in less than thirty days before the election", and, as amended, the bill do pass.

Committee on Fish and Game report that H. B. No. 159 be amended as follows:

Section to be numbered Section 6, to follow Section 5: "Section 6. Nothing in this Act shall be construed to apply to any person, firm or corporation, who deals in finished or manufactured articles made of fur in part or whole, unless such person, firm or corporation is likewise in tanning, preparing or manufacturing the same from raw or untanned fur, in which event such person, firm or corporation, shall be deemed a fur dealer within the meaning of this Act."

"Re-number Section 6, of the original bill, as Section 7 and re-number Section 7 of the original bill, as Section 8," and, as amended, same be concurred in.

Committee on Finance and Claims report that H. B. No. 67 be amended as follows:

Amend by striking out the words and figures "\$2618.00" and inserting in lieu thereof "\$2380.00", and, as amended, the bill be concurred in.

Committee on Finance and Claims report that S. B. No. 85 be amended as follows:

Amend by striking out all of Section 1, together with the former committee amendments, and that the following be substituted in lieu thereof:

"Section 1. The duty of collecting the non-resident inheritance taxes, all gross earning taxes on freight lines, and the following license taxes, to-wit: The corporation license tax, taxes on express companies and sleeping car companies, coal mines, and dealers license taxes, metaliferous mines tax, cement producers and dealers license taxes, the gasoline distributors and dealers license tax, the responsibility for collection of which has heretofore been imposed upon the State Treasurer are hereby transferred from the State Treasurer to the State Board of Equalization; such collections to be turned over to the State Treasurer on the 10th and 25th day of each

al every month, and it is further provided that all duties heretofore imposed by law upon the State Treasurer, with reference to the collection and issuance of receipts for any of the above named license taxes, or other duties above enumerated, are hereby imposed upon the State Board of Equalization," and, as amended, the bill do pass.

A majority of the Committee on Finance and Claims report that S. B. No. 123 do not pass. Report adopted.

A minority of the Committee on Finance and Claims report that S. B. No. 123 do pass.

Committee on Finance and Claims report that H. B. No. 77 be concurred in:

Committee on Judiciary report as follows:

That S. B. No. 136 do not pass.

That H. B. No. 38 be not concurred in.

That S. B. No. 16 do not pass.

That H. B. No. 127 be concurred in.

That H. B. No. 185 be not concurred in.

Committee on Education report that S. B. No. 103 do not pass.

Committee on Banks and Banking report that S. B. No. 86 do not pass. Report adopted. On motion duly made and seconded, the bill was ordered printed and placed on General File.

Committee on Agriculture report that H. B. No. 61 do not pass.

That H. B. No. 151 do not pass.

That Sub. for S. B. No. 118 do pass.

Committee on Taxation report that Concurrent Resolution No. 9 do not pass, but that Sub. for Con. Res. No. 9 do pass.

Committee on Federal Relations report that Sen. J. M. No. 4 do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 18, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following standing committees have this day reported as follows:

Committee on Compensation report that S. B. No. 102 be amended as follows:

Amend in Section 1 by striking out in lines 5 and 6 the words "immediately preceding his appointment."

Amend Section 2 by adding in line 4 thereof after the words "private residences" a comma and the words "low pressure case iron sectional boilers carrying not to exceed fifteen pounds steam pressure and consisting of not to exceed five sections," and, as amended, the bill do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 18, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Committee of the Whole, having had under consideration business of Special Order, this day report and recommend as follows: Report adopted.

That S. B. No. 28 be amended in Section 1 by striking out in line 6 the words "before commencing such business;" and by striking out in lines 8 and 9 the words "granting of a license by said Commission" and inserting in lieu thereof the words "making of such application" and by inserting after the word "Montana" in line 11 the following: "and upon the making and filing of such application and the payment of the proper fee, a license shall issue to the applicant."

Amend in Section 2 by striking out all of Section 2 and inserting in lieu thereof the following:

"Section 2. Each dealer shall pay license fee of One Dollar for each separate place of business where such dealer transacts business, and one dollar additional for each gasoline pump or vending machine in excess of one used at such place of business. All licenses shall be annual and expire December, thirty-first."

Amend the proposed new Section 2 by adding the following clause: "Each refinery doing business in the State of Montana shall pay an annual license fee of one dollar."

Amend in Section 3 by striking out that portion after the word "with" in line 1 and up to the word "due" in line 6.

Amend in Section 6 by striking out the last word in line 5, all of line 6 and all of line 7 except the last four words thereof.

Amend in Section 8 by striking out all of Section 8 and in lieu thereof inserting the following:

"Section 8. The standards of quality and strength for gasoline kept for sale or offered for sale within the State of Montana, shall at all times be identical with the then current specifications of gasoline known as United States Government Motor Gasoline as promulgated by the Bureau of Mines of the Department of the Interior of the United States, or by other competent Federal authority."

Amend in Section 18 by striking out all of Section 18.

Amend in Section 20 by striking out in line 12 the last three words thereof and by striking out all of line 13.

Amend in Section 20 by adding the following at the end of Section 20: "The Public Service Commission shall employ from time to time such inspectors as said Commission shall deem necessary to carry out the provisions of this Act and said Commission shall fix the compensation of such inspectors. The inspectors herein provided for shall be paid from the 'Gasoline Inspection Fund' provided for in this Act and all expenses in carrying out the provisions of this Act shall be paid from said fund."

Amend in Section 21 by striking out all of line 6, 7 and 8 and inserting after the word "standards" and before the word "for" in line 4 the words "of accuracy."

Amend in Section 25 by adding after the word "thereof" in line 1 thereof the following "and shall be empowered to revoke the license of said licensee."

Amend in Section 30 by adding after the word "shall" in line 7 of the printed bill the following: "in addition to the forfeiture of license as herein before provided."

Amend by inserting the following section to be known as Section 32: "If any section in this Act shall be declared unconstitutional that such decision shall not invalidate other portions not involved in such decision." Amend by renumbering sections correctly, and, as amended, the bill do pass.

Morning Session.

Respectfully,

J. F. CONE, Secretary of Senate."

THIRD READING OF HOUSE BILLS

House Bill No. 16, introduced by Fulsher, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Arnold, Ballard, Benjamin, Benson, Barry, Bonson, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Chatham, Clausen, Cooney, Curran, Darlington, Dellwo, Dougherty, Dunn, Goodwin, Gree (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Holtz, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb Larson, Leavens, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Moss, Mulholland, Murphy, Nicholson, O'Day, Plank, Reed, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sut

to, Thorburn, Throssel, Tierney, Troy, Westlake, Willard, Mr. Speaker. Total—68.

Noes: Erickson, Hardcastle, Jones (Phillips), Knowles, Lowry, Miller (Lincoln), Moulton, Nelson, Nelstead, Plumer, Prescott, Rife, Tinsley, Warren, White, Woodcock. Total—16.

Absent and not voting: Adair, Akofer, Burns, Cavanaugh, Cheadle, Clarke, Donaldson, Doran, Foot, Flachsenhar, Fulsher, Jameson, Knight, Leavitt, Nagle, Rockwood, Rognlien, Waite. Total—18.

House Joint Resolution No. 9, introduced by Committee on Public Affairs, Charities and Reforms, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Arnold, Ballard, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Chatham, Clausen, Cooney, Curran, Darlington, Dellwo, Dougherty, Dunn, Erickson, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Lillis, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—78.

Noes: None.

Absent and not voting: Adair, Akofer, Benjamin, Brown, Burns, Cavanaugh, Cheadle, Clarke, Donaldson, Doran, Foot, Flachsenhar, Fulsher, Jameson, Knight, Leavitt, Moss, Nagle, Nelson, Rockwood, Sample, Thorburn, Tierney, Waite. Total—24.

House Bill No. 106, introduced by Benjamin, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Brown, Budas, Burke, Chatham, Clausen, Cooney, Curran, Darlington, Dellwo, Dougherty, Dunn, Erickson, Goodwin, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knowles, Kroman, Lamb, Larson, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rognlien, Rorvik, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Adair, Akofer, Bricker, Burns, Cavanaugh, Cheadle, Clarke, Donaldson, Doran, Foot, Flachsenhar, Fulsher, Green (Fergus), Jameson, Kelly, Knight, Leavens, Leavitt, Moss, Nagle, Nelson, Rockwood, Ryder, Sample, Waite. Total—25.

House Bill No. 147, introduced by Holton, Ryder and Waite, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Brown, Budas, Burke, Chatham, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Dunn, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelstead, Nicholson, O'Day, Plank, Prescott, Rife, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, White, Willard, Woodcock, Mr. Speaker. Total—73.

Noes: Dougherty, Erickson, Plumer. Total—3.

Absent and not voting: Adair, Akofer, Bricker, Burns, Cavanaugh, Cheadle, Clarke, Doran, Foot, Flachsenhar, Fulsher, Green (Dawson), Holton, Jameson, Jones (Ravalli), Knight, Leavens, Leavitt, Moss, Nagle, Nelson, Reed, Rockwood, Sample, Waite, Westlake. Total—26.

Substitute for House Bill No. 227, introduced by Judiciary Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Brown, Budas, Burke, Chatham, Cooney, Curran, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rognlien, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—78.

Noes: None.

Absent and not voting: Adair, Akofer, Bricker, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Doran, Foot, Flachsenhar, Fulsher, Holton, Jameson, Knight, Leavitt, Moss, Nagle, Nelson, Reed, Rockwood, Rorvik, Sample, Waite. Total—24.

House Bill No. 238, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Chatham, Cooney, Curran, Darlington, Donaldson, Dougherty, Dunn, Erickson, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—75.

Noes: Abrahamson, Clausen, Knowles, Steeves. Total—4.

Absent and not voting: Adair, Akofer, Barry, Burns, Cavanaugh, Cheadle, Clarke, Dellwo, Doran, Foot, Flachsenhar, Fulsher, Holton, Jameson, Knight, Larson, Leavitt, Moss, Nagle, Nelson, Rockwood, Sample, Warren. Total—23.

House Bill No. 255, introduced by Johnson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Chatham, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Dougherty, Dunn, Erickson, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rognlien, Rorvik, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—80.

Noes: None.

Absent and not voting: Adair, Akofer, Burns, Cavanaugh, Cheadle, Dellwo, Doran, Foot, Flachsenhar, Fulsher, Holton, Jameson, Knight

Leavitt, Moss, Moulton, Murphy, Nagle, Rockwood, Ryder, Sample, Warren. Total—22.

House Bill No. 256, introduced by Holton, Nelstead, Dellwo and Rife, having been read three several times, title and history agreed to, was passed by the following vote:

• Ayes: Abrahamson, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Chatham, Clarke, Cooney, Curran, Darlington, Donaldson, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: None.

Absent and not voting: Adair, Akofer, Burns, Cavanaugh, Cheadle, Clausen, Dellwo, Doran, Foot, Fulsher, Holton, Jameson, Knight, Leavitt, Moss, Nagle, Rockwood, Sample, Warren. Total—19.

House Bill No. 265, introduced by Reed and Bricker, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Adair, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Curran, Darlington, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Ryder, Sparling, Stambaugh, Steeves, Thorburn, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—79.

Noes: Abrahamson, Clausen, Hardcastle, Plumer, Rorvik, Sutton. Total—6.

Absent and not voting: Akofer, Brown, Cooney, Dellwo, Donaldson, Doran, Foot, Fulsher, Jameson, Knight, Moss, Nagle, Nelstead, Nicholson, Sample, Shields, Throssel. Total—17.

House Bill No. 301, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Stambaugh, Sutton, Thorburn, Throssel, Tinsley, Troy, Waite, Warren, White, Willard, Mr. Speaker. Total—81.

Noes: Plumer. Total—1.

Absent and not voting: Akofer, Curran, Dellwo, Donaldson, Doran, Fulsher, Jameson, Jones (Ravalli), Knight, Knowles, Logan, Moss, Nagle, Reed, Sample, Sparling, Steeves, Tierney, Westlake, Woodcock. Total—20.

House Bill No. 302, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benson, Barry, Besance, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin Green (Fergus), Green (Danson), Gustafson, Hagerty, Hardcastle, Harris, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Kroman, Lamb, Larsen, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlie, Rorvik, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Thross, Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker.
Total—84.

Noes: Plumer. Total—1.

Absent and not voting: Akofer, Benjamin, Dellwo, Donaldson, Dora Fulsher, Hodgskiss, Jones (Ravalli), Knight, Knowles, Logan, Mason, Moser, Ryder, Sample, Tierney, Westlake. Total—17.

At the request of Bricker, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that the Enrolling Clerk be instructed by the House to correct House Bill No. 143, in line 24, Section 4 of the engrossed bill, by striking out the word "nineteenth" and inserting in lieu thereof the word "twentieth."

There being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House do resolve itself into Committee of the Whole for consideration of General Orders, under same rules as yesterday.

Mr. Kelly in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration, House Bills Nos. 222, 221, 224, 113, 211, 210, respectfully report as follows:

That House Bill No. 222 do pass.

That House Bill No. 221 do pass.

That House Bill No. 224 do pass.

That consideration of House Bill No. 113 be passed for the time.

That the enacting clause be stricken from House Bill No. 221.

That the enacting clause be stricken from House Bill No. 210.

On motion of Kelly, report adopted.

KELLY, Chairman."

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

Printing committee reported as follows:

"Mr. Speaker: We, your Committee on Printing respectfully report House Bills Nos. 198, 269, 305, 306, 307 and Substitute for House Bill No. 284 as correctly printed.

COONEY, Chairman."

"Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 186 as amended in the Committee of the Whole hereby respectfully report as follows:

That the aforesaid House Bill No. 186 be further amended as follows:

That sections numbered 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, and 35 be stricken out in their entirety;

That in lieu of the foresaid sections the following sections be inserted:

"Section 20. Leasing of Agricultural and Grazing Lands and Town and City Lots. Under the general direction and control of the board, the commissioner shall lease all agricultural and grazing lands and all town and city lots open to leasing upon proper application and the payment of rental as hereinafter more specifically provided. In all cases where there is only one qualified person offering to lease any one tract of land, the lease shall be issued at the minimum rental as determined under the provisions of this Act, but if there are two or more persons desiring to lease the same tract, then the lease shall be issued to the highest bidder, subject, however, to the preference right of a former lessee as provided in this Act. All agricultural, grazing and town lot leases shall be subject to the condition that the board may in its discretion, offer said land for sale at any time upon the regular public sales of State lands held in the county where the land is situated, upon the same terms, and in the same manner as land not under lease."

Section 21. Renewal of Leases. Cancellation Before Expiration. A lessee who has paid all rentals due from him to the State and not violated the terms of his lease shall be entitled to have his lease renewed at any time within 30 days prior to its expiration for an additional period of not exceeding five years."

That Section 32 be further amended by striking out in lines 14 and 15 of the printed bill the following words. "In ascertaining and fixing the value of such improvements the provisions of Section 47 of this Act shall govern," and by inserting in lieu thereof the following words. "The value of such improvements shall be ascertained and fixed as hereinafter in this Act provided";

That Section 38 be further amended by striking out in the amendment hereto adopted in the Committee of the Whole in the line reading

"Class 1. Extra good grazing land.....\$70 00 to \$90.00," the figures "\$90.00" and inserting in lieu thereof the figures "\$100.00";

That Section 39 be amended by striking out in lines 12 and 13 of the printed bill the following words. "and he shall also notify the county clerk and recorder of the county in which such land is located that the land is open for lease", and by inserting in lieu thereof the following words "and the land shall then be open for lease to other applicants";

That Section 40 be amended by inserting in line 1 of the printed bill between the word "to" and the word "leased" the word "be";

That Section 45 be amended by inserting in line 9 of the printed bill between the word "given" and the word "the" the word "by";

That Section 47 be amended by striking out in line 14 of the printed bill the words "Section 32 of";

That Section 48 be amended by striking out in line 5 of the printed bill all words following the word "applicant" and by striking out all of lines 7, 8 and 9 of the said section:

That Section 130 be further amended by re-inserting in the bill in lines 10 and 11 of the printed bill, the same appearing in lines 25 and 26 of the typewritten bill, the following words which were stricken from the bill in the Committee of the Whole: "with the permission of the State Board of Land Commissioners, given in writing in each particular case";

That Section 145 as amended in the Committee of the Whole be recommended to read as follows:

Section 145. Repeal. Section 207, Section 1805, Sections 1809 to 1829, both inclusive; Section 1840, Sections 1843 to 1871, both inclusive Sections 1882 to Section 1911, both inclusive; Section 1918, all of the Sections being of the Revised Codes of the State of Montana of 1921, and Section 4014 of the Revised Codes of Montana of 1921, as amended by Chapter 147 of the Laws of the Eighteenth Legislative Assembly; and Chapter 94 of the Laws of the Eighteenth Legislative Assembly; and Chapters 90, 134, 168 and 190 of the Nineteenth Legislative Assembly of the State of Montana, and all other Acts and parts of Acts in conflict with any of the provisions of this Act are hereby repealed."

That the sections of the bill be renumbered so as to constitute one consecutive series of sections.

That as so amended House Bill No. 186 do pass.

HOLTON, Chairman."

On motion of Holton, report adopted.

There being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second time by title and referred to the standing committees:

Senate Bill No. 101, by Hazelbaker, Dowlin and Sibbert: A Bill for an Act entitled: "An Act defining and providing for the abatement of certain nuisances; declaring barbed wire and other wire fencing a nuisance under certain circumstances; authorizing the Board of County Commissioner to abate such nuisances; providing for the sale of such wire and disposition of the proceeds thereof, and repealing all Acts in conflict herewith." Referred to Townships and Counties Committee.

Senate Bill No. 108, by Kemmis: "An Act legalizing all election heretofore held authorizing the issuance of bonds by any county of this State to create or increase any indebtedness of such county where such election was participated in and the question was submitted to a vote of the electors rather than to the registered electors whose names appeared upon the last preceding assessment roll as required by Chapter 98 of the Laws of 1923." Referred to Judiciary Committee.

Senate Bill No. 113, by Greenup: "An Act to amend Section 1121 of the Revised Codes of Montana of 1921, relating to meetings of the Public School Teachers' Retirement Salary Fund Board and to the expenditures in administering the Public School Teachers' Retirement Salary Act." Referred to Committee on Education.

Senate Bill No. 114, by Greenup: "An Act to amend Section 1113 of the Revised Codes of Montana of 1921, relating to the public school teachers' retirement salary fund and the public school teachers' permanent fund." Referred to Committee on Education.

Senate Bill No. 126, by Committee on Education: "An Act creating the State Common School Equalization Fund; providing what moneys shall constitute such funds, making the State Board of Education the Common School Equalization Board; providing for the powers and duties of said board; providing the method for determining the distribution of such fund and repealing all Acts and parts of Acts in conflict with this Act." Referred to Committee on Education.

Committee on Engrossing reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 304, 193, 289, 291.

THORBURN, Vice-Chairman."

Moved by Bricker, duly seconded and carried, that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

The Speaker announced the following conference committee to act with like committee from the Senate on Senate amendments to House Bill No. 99.

DONALDSON of Chouteau, Chairman.

KROMAN of Custer.

WOODCOCK of Chouteau.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for a consideration of General Orders, under the same rules adopted in previous sitting.

Mr. Mason in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration, House Bills Nos. 212, 242, 259, 287, 286, 98, 125, 178, Sub. for House Bill No. 190, House Bills Nos. 201, 208, 113, respectfully report as follows: That House Bill No. 212 be amended as follows:

Section 8: By striking out Section 8; and that as so amended said bill do pass.

That House Bill No. 242 do pass.

That House Bill No. 259 do pass.

That House Bill No. 287 do pass.

That the enacting clause be stricken from House Bill No. 286.

That House Bill No. 98 do pass.

That House Bill No. 125 do pass.

That House Bill No. 178 do pass.

That Sub. for House Bill No. 190 be taken off General Orders.

That House Bill No. 201 do pass.

That House Bill No. 208 do pass.

That House Bill No. 113 do pass.

MASON, Chairman."

Moved by Mason, duly seconded, that the report be adopted.

Moved by Holton, as a substitute motion, duly seconded, that House Bill No. 259 be segregated from the report.

Question arising on the substitute motion, same was lost.

Question arising on the original motion, same carried.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that the Enrolling Clerk be instructed by this House to correct House Resolution No. 5, by striking out the word "without" in line 29 of page 1 of the engrossed bill, after the word "judges" and inserting in lieu thereof, the word "with."

Moved by Shields, duly seconded and carried, that House Bill No. 136 be recalled from Third Reading and placed again on General Orders.

Moved by Leavitt, duly seconded and carried, that the oil investigating committee be given additional time to conclude investigation of gasoline

prices in Montana, up to and including February 25th to make their report to the House.

At this time Stambaugh of Powell, introduced the following resolution by unanimous consent of the House.

House Resolution, introduced by Stambaugh:

WHEREAS, It has come to the attention to this House of Representatives of the Twentieth Legislative Assembly of the State of Montana that in various places in the State of Montana elk are doing damage to the stockmen and farmers in these places by over-running their fields, and consuming crops, and injuring and destroying the same; and

WHEREAS, In most of these places the elk season is closed so that no way is afforded to the stockman or farmer for reducing these herds of elk and no opportunity is afforded the stockman or farmer for recovering damages against the State of Montana, or presenting claim for his damage to the State, and,

WHEREAS, In these localities where elk damage is being done, it is impossible for the farmers to procure the opening of elk season by petition because of the fact that the Angler's Club and Sportsmen's Association greatly outnumber the farmers and stockmen,

NOW THEREFORE BE IT RESOLVED by this body that the State Fish and Game Commission be requested to make an examination and survey of the localities wherein the elk are damaging and destroying the crops and property of the stockmen and farmers with a view toward framing legislation to remedy this situation, and that the said Fish and Game Commission be requested to report to the Twenty-first Legislative Assembly their findings and recommendations.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House resolve itself into Committee of the Whole, for consideration of General Orders, under the same rules as previous sitting.

Mr. Mason in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 226, 233, 250, 263, 267, House Joint Resolution No. 10, respectfully report as follows:

That House Bill No. 226 be amended as follows:

Section 2: By striking out in line 5 of the printed bill the word "automatically" and inserting in lieu thereof the words "with the consent of the city council".

Section 6: By striking out in line 5 of the printed bill, the words, "Shall be entitled" and inserting in lieu thereof the words "may be by the city council allowed."

And that as so amended, said House Bill No. 226 do pass.

That the enacting clause be stricken from House Bill No. 233.

That consideration of House Bill No. 250 be passed for the day.

That House Bill No. 263 do pass.

That House Bill No. 267 do pass.

That House Joint Resolution No. 10 do pass.

On motion of Mason, report adopted.

MASON, Chairman."

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Substitute for Senate Bill No. 5, introduced by Senate Livestock Committee, respectfully report as follows: That Substitute for Senate Bill No. 5 be concurred in.

LEAVENS, Chairman."

On motion of Leavens, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Joint Resolution No. 7, introduced by Griffin, respectfully report as follows: That Senate Joint Resolution No. 7 be concurred in.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 90, introduced by Foot, respectfully report as follows: That House Bill No. 90 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 57, introduced by Bricker and Besancon, respectfully report as follows: That House Bill No. 57 do not pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 236, introduced by Johnson, respectfully report as follows: That House Bill No. 236 do not pass.

HARRIS, Chairman."

On motion of Harris, report adopted.

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 219, 298, 288, House Joint Resolution No. 8, House Bills No. 244, Substitute for House Bills Nos. 49 and 59.

THORBURN, Vice-Chairman."

Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill No. 143.

WAITE, Chairman."

Printing Committee reported as follows:

"Mr. Speaker: We, your Committee on Printing respectfully report House Bills Nos. 172, 214, 239, 241, 235, 254, 283, 285, as correctly printed.

COONEY, Chairman."

There being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

House Bill No. 195, introduced by Ryder, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Darlinton, Donaldson, Dougherty, Dunn, Erickson, Flachsenhar, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Leavens, Leavitt, Logan, Lowry, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott,

Rife, Rockwood, Rognlien, Ryder, Sample, Shields, Stambaugh, Steeve Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, Woodcock, Mr. Speaker. Total—76.

Noes: Besancon, Goodwin, Kroman, Lamb, Mulholland, Nagle, Sparling. Total—7.

Absent and not voting: Chatham, Curran, Dellwo, Doran, Foot, Fulsher, Green (Fergus), Johnson, Knight, Larson, Lillis, McCleary, Mos Murphy, Reed, Rorvik, Waite, White, Willard. Total—19.

House Bill No. 220, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burns, Chatham, Cheadle, Clausen, Cooney, Curran, Darlington, Foot, Flachsenhar, Goodwin, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Willard, Woodcock, Mr. Speaker. Total—80.

Noes: Clarke. Total—1.

Absent and not voting: Burke, Cavanaugh, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Fulsher, Green (Fergus), Johnson, Jones (Phillips), Knight, Knowles, Kroman, Logan, Moss, Nelstead, Sample, Westlake, White. Total—21.

House Bill No. 232, introduced by Jameson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Clausen, Cooney, Donaldson, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Nagle, Nelson, Nicholson, Plank, Prescott, Reed, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—77.

Noes: Plumer. Total—1.

Absent and not voting: Burns, Cheadle, Clarke, Curran, Darlington, Dellwo, Doran, Dougherty, Foot, Fulsher, Jameson, Johnson, Jones (Phillips), Knight, Knowles, Moss, Murphy, Nelstead, O'Day, Rife, Sample, Shields, Tinsley, Westlake. Total—24.

House Bill No. 252, introduced by Abrahamson, by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Curran, Darlington, Donaldson, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Shields, Sparling, Stambaugh, Sutton, Thorburn, Throssel, Tierney,

Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: Clausen, Steeves. Total—2.

Absent and not voting: Besancon, Burns, Dellwo, Doran, Foot, Fulsher, Green (Dawson), Johnson, Jones (Phillips), Knight, Knowles, Moss, Nelstead, Reed, Ryder, Sample, Tinsley. Total—17.

House Bill No. 271, introduced by Benjamin, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Chatham, Cheadle, Clarke, Cooney, Curran, Darlinton, Donaldson, Dougherty, Dunn, Erickson, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Shields, Sparling, Stambaugh, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: Flachsenhar. Total—1.

Absent and not voting: Besancon, Burns, Cavanaugh, Clausen, Dellwo, Doran, Foot, Fulsher, Green (Dawson), Johnson, Knight, Knowles, Moss, Nelstead, Ryder, Sample, Steeves, Westlake. Total—18.

House Bill No. 219, introduced by Merritt and Hodgskiss, having been read three several times, title and history agreed to was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Moulton, Mulholland, Murphy, Nagle, Nelson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—85.

Noes: None.

Absent and not voting: Arnold, Burns, Cheadle, Dellwo, Doran, Foot, Fulsher, Jameson, Johnson, Knight, Knowles, Miller (Lincoln), Moss, Nelstead, Nicholson, Ryder, Sample. Total—17.

House Bill No. 193, introduced by Throssel, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Burns, Dellwo, Doran, Foot, Fulsher, Johnson Knight, Knowles, Larson, McCleary, Moss, Moulton, Nelstead, Ryder, Sample, Shields. Total—16.

House Bill No. 289, introduced by Nagle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rockwood, Rognlien, Rorvik, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Burns, Cavanaugh, Dellwo, Doran, Fulsher, Green (Fergus), Holton, Johnson, Jones (Ravalli), Knight, Knowles, Moss, Nelstead, Rife, Ryder, Sample, Tinsley, Woodcock. Total—18.

House Bill No. 291, introduced by Foot, by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—79.

Noes: Adair, Jensen, Larson, Sparling. Total—4.

Absent and not voting: Cavanaugh, Doran, Foot, Fulsher, Green (Fergus), Holton, Jameson, Johnson, Knight, Knowles, Leavens, Merritt, Moss, Nelstead, Reed, Ryder, Sample, Shields, Tierney. Total—19.

House Bill No. 304, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—91.

Noes: None.

Absent and not voting: Cheadle, Doran, Foot, Fulsher, Holton, Johnson, Knight, Knowles, Moss, Nelstead, Tierney. Total—11.

House Bill No. 298, introduced by Cooney, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rockwood, Rorvik, Ryder, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—87.

Noes: None.

Absent and not voting: Brown, Cheadle, Darlinton, Doran, Fulsher, Johnson, Knight, Knowles, Moss, Nelstead, Rife, Rognlien, Shields, Tinsley, Troy. Total—15.

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 180, 221, 224, 237, 281.

GREEN of Dawson, Chairman."

House Bill No. 288, introduced by Nagle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Dellwo, Donaldson, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—88.

Noes: None.

Absent and not voting: Doran, Dougherty, Fulsher, Hodgskiss, Jameson, Johnson, Knight, Knowles, Moss, Nelstead, Shields, Tierney, Tinsley, Troy. Total—14.

House Bill No. 244, introduced by Burns, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Cooney, Curran, Darlinton, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nelson, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rorvik, Ryder, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Akofer, Cavanaugh, Clausen, Doran, Fulsher, Green (Fergus), Johnson, Knight, Kroman, Moss, Mulholland, Nelstead, Rognlien, Shields, Tierney, Tinsley. Total—16.

Substitute for House Bills Nos. 49 and 59, introduced by Committee on Townships and Counties, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Troy, Warren, Westlake, White, Willard, Mr. Speaker. Total—85.

Noes: Bretzke, Hardcastle, Holton, Plumer, Woodcock. Total—5.

Absent and not voting: Adair, Cavanaugh, Doran, Fulsher, Johnson, Knight, Moss, Nelstead, Sample, Tierney, Tinsley, Waite. Total—12.

House Joint Resolution No. 8, introduced by Cheadle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—87.

Noes: None.

Absent and not voting: Benson, Cavanaugh, Curran, Doran, Fulsher, Green (Fergus), Johnson, Knight, Marshall, Moss, Moulton, Nelstead, Tierney, Tinsley, Troy. Total—15.

House Bill No. 180, introduced by Logan, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Ryder, Sample, Shields, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Waite, Warren, Westlake, Willard, Mr. Speaker. Total—81.

Noes: Benjamin, Hagerty, Plumer, Rognlien, Sparling, Woodcock. Total—6.

Absent and not voting: Akofer, Cavanaugh, Curran, Doran, Fulsher, Johnson, Knight, Knowles, Moss, Nelstead, Rorvik, Tierney, Tinsley, Troy, White. Total—15.

Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Resolution No. 5.

WAITE, Chairman."

Printing Committee reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 196, 243, 253, 260, and Substitute House Bill No. 264 as correctly printed.

COONEY, Chairman."

MISCELLANEOUS COMMUNICATIONS

The following report was received from the special committee appointed under House Resolution No. 5.

"To the Honorable Speaker and House of Representatives of the Twentieth Legislative Assembly:

We, your Special Committee appointed under House Resolution No. 5 beg leave to file a partial report disclosing information sought under said Resolution No. 5 and we petition your Honorable Body to have the same printed and placed on the desks of the members of this Assembly.

Respectfully submitted,

SPECIAL COMMITTEE,

By H. A. SAMPLE, Chairman."

On motion of Sample, report adopted.

Moved by Bricker, duly second and carried, that the members of the House of Representatives, accept the invitation of the Representative of the Pathe News Weekly to attend the pre-view of a news reel entitled: "Will Rogers, Our Unofficial Ambassador Abroad", to be given at the Marlow theater, Tuesday, February 22nd, at 4:30 P. M.

Moved by Bricker, duly seconded and carried, that the House adjourn until Sunday, February 20, 1927, at 12:30 o'clock.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

FORTY-NINTH DAY

House of Representatives,
Helena, Montana, February 20, 1927.

House convened, pursuant to adjournment at 12:30 P. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all members present, except: Fulsher, excused on account of illness; Johnson, absent; Knight, absent; Tinsley, excused.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty-eighth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlinton, report adopted.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 310, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 310 be printed and placed on General Orders.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 129, introduced by Hodgskiss, Burns, Troy Foot, Rockwood, Akofer, Merritt, Abrahamson, Johnson and Stambaugh respectfully report as follows: That House Bill No. 129 do not pass.

REED, Chairman."

On motion of Reed, report adopted.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that House Bill No. 186 now on General Orders, be placed at the head of the list on General Orders.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under the same rules as sitting of yesterday.

Mr. Cheadle in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 186, Substitute for House Bill No. 190, House Bills Nos. 250, respectfully report as follows: That House Bill No. 186 do pass.

That consideration of Substitute for House Bill No. 190 be passed for the time. That the enacting clause be stricken from House Bill No. 250.

CHEADLE, Chairman."

On motion of Cheadle, report adopted.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole, for consideration of General Orders, under the rules of previous sitting.

Mr. Cheadle in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 136, 172, 196, 198, 214, 235, 239, 241, 243, 253, 254, respectfully report as follows:

That House Bill No. 136 be amended as follows:

History: Correcting same to read as follows: "Reported back from Committee on Education with recommendation that the bill do not pass; on substitute motion, bill ordered printed and referred to General Orders.

Section 4: By including after the words "State Normal School at Dillon", the words "Eastern Montana State Normal School at Billings, the Northern Montana Agricultural and Manual Training School at Fort Assiniboine," and that as so amended, said House Bill No. 136 do pass.

That consideration of House Bill No. 172 be passed for the time.

That House Bill No. 196 do pass.

That House Bill No. 198 do pass.

That House Bill No. 214 do pass.

That House Bill No. 235 do pass.

That House Bill No. 239 be amended as follows:

Section 1: By striking out in lines 11 to 14, being 24 to 27 of the typewritten bill, the following: "Should more wearing apparel be manufactured than is required for the several institutions of the State, the excess may be sold to other states for their institutions, at a price to be fixed by the State Purchasing Agent and Warden of the Penitentiary", and placing a comma in place of the period following the word "penitentiary" in line 11.

Section 4: By striking out in lines 3 and 4 the following: "With other states as may be most advantageous to the State of Montana", and placing a period after the word "factory," and that as so amended, said House Bill No. 239 do pass.

That House Bill No. 241 do pass.

That consideration of House Bill No. 243 be passed for the time.

That House Bill No. 253 be amended as follows:

Title: By striking out the last clause thereof, beginning with the words "to the same extent", and ending with the words "such decedents", and inserting in lieu thereof the words "subject to certain provisos".

Section 1: Subdivision 8, page 3 of printed bill, after the word "paid" at the end of line 79, by changing the period to a comma, and adding the words: "but no deduction shall be made for any Federal estate, inheritance, or transfer taxes paid to the United States."

Section 2: Subdivision 3, page 4 of printed bill, after the word "State" and changing the period to a comma, and adding the words "but no deduction shall be made for any Federal estate, inheritance, succession or transfer taxes paid to the United States," and that as so amended said House Bill No. 253 do pass.

That House Bill No. 254 be amended as follows:

Section 1: By adding after the word "under" in line 51, page 2, of printed bill and before the word "this", the following "Subdivision 4 of," and that as so amended said House Bill No. 254 do pass.

CHEADLE, Chairman."

On motion of Cheadle, report adopted.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under rules of previous sitting.

Mr. Cheadle in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 260, 269, 283, 285, Substitute for House Bill No. 284, Substitute for House Bills No. 264, House Bills Nos. 305, 306, 307, respectfully report as follows:

That House Bill No. 260 do pass.

That House Bill No. 269 do pass.

That consideration of House Bill No. 283 be passed for the time.

That House Bill No. 285 do pass.

That consideration of Substitute for House Bill No. 284 be passed for the time.

That Substitute for House Bill No. 264 be amended as follows:

Section 3: By adding thereto the following "Provided that no person shall receive beneficiary funds from this Act who is receiving as much as "\$2,000.00 per annum from other sources."

That House Bill No. 305 do pass.

That House Bill No. 306 do pass.

That consideration of House Bill No. 307 be passed for the day.

CHEADLE, Chairman."

On motion of Cheadle, report adopted.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under the same rules as previous sitting.

Mr. Reed in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 243, 283, respectfully report as follows: That House Bill No. 243 be amended as follows:

Section 2: By striking out in line 6 of printed bill, after the word, "to", the words and figures "One-quarter Cent ($\frac{1}{4}c$) and inserting in lieu thereof the words and figures "One-eighth Cent (1-8c)," and that as so amended said House Bill No. 243 do pass.

That House Bill No. 283 be amended as follows:

Title: By striking out in line 4 thereof the words "The United States Forestry Service and".

Section 1: By striking out in lines 5 and 6 of printed bill, the words "The United States Forest Service and," and that as so amended said House Bill No. 283 do pass.

REED, Chairman."

On motion of Reed, report adopted.

Moved by Bricker, duly seconded and carried, that the House recess until 3:00 P. M.

AFTERNOON SESSION

House resumed at 3:00 P. M.

Mr. Speaker in the chair.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole, for consideration of General Orders, under same rules of previous sitting.

Mr. Reed in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House bill No. 172, Substitute for House Bill No. 284, respectfully report as follows:

That House Bill No. 172 be amended as follows:

Section 1: By adding at the end of said section, the following: "Any violation of an order of the Board of County Commissioners issued under the authority of this Act shall constitute a misdemeanor," and that as so amended, said House Bill No. 172 do pass.

That Substitute for House Bill No. 284 be amended as follows:

Section 1: By striking out all of Section 1, lines 13 to 23 inclusive, and insert in lieu thereof the following:

Ninth District: Glacier, Toole, Pondera, and Teton Counties.

Tenth District: Fergus, Judith Basin, and Petroleum Counties.

Eleventh District: Flathead, and Lincoln Counties.

Twelfth District: Liberty, Hill, Blaine and Chouteau Counties.

Thirteenth District: Big Horn, Carbon, Yellowstone, Treasure, and Stillwater Counties.

Fourteenth District: Broadwater, Meagher, Wheatland, Golden Valley, and Musselshell Counties.

Fifteenth District: Daniels, Sheridan, and Roosevelt Counties.

Sixteenth District: Carter, Custer, Fallon, Garfield, Rosebud, Prairie, and Powder River Counties.

Seventeenth District: Phillips and Valley Counties.

Also by striking out in line 10 of printed bill, all of line 10 and inserting in lieu thereof the words "Sixth District: Gallatin, Park, Sweet Grass and Stillwater Counties".

Also by striking out in line 15 all of line 15, and inserting in lieu thereof the words "Thirteenth District: Big Horn, Carbon, Yellowstone and Treasure Counties."

Section 2: By striking out in line 6 the words "Eleventh" and "Thirteenth" and inserting in lieu thereof the words "Thirteenth" and "Sixteenth" respectively.

Section 3: By inserting in line 2 of printed bill, after the word "and", the following words "Nominating such District Judges," and that as so amended, said Substitute for House Bill No. 284 do pass.

REED, Chairman."

On motion of Reed, report adopted.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that House Bill No. 241 be considered correctly engrossed and placed on Third Reading.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Senate:

Helena, Montana, February 19, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion duly made and seconded, the Senate requests the return of House Bill No. 61 for further consideration.

Respectfully,

J. F. CONE, Secretary of Senate."

On motion of Bricker, the request of the Senate was granted.

Moved by Bricker, duly seconded and carried, that the following communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 17, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate bills were this day read three several times, title and history agreed to, and are herewith transmitted to the House for concurrence.

Senate Joint Resolution No. 10 by Wuerthner and Kane.

Senate Bill No. 85 by Kemmis.

Senate Bill No. 129 by Church.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 19, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate bills were this day read three several times title and history agreed to, and are herewith transmitted to the House for concurrence:

Senate Bill No. 17, by Wuerthner, Gilboe and Porter.

Senate Bill No. 63, by Pauline.

Senate Bill No. 99, by Cowan.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 19, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate bills were this day read three several times, title and history agreed to, and are herewith transmitted to the House for concurrence:

Senate Bill No. 128, by Church.

Senate Bill No. 107, by Spencer, Church, Cowan, Hazelbaker, Gilboe, Kennedy, Survant, McCone, Brownlee, Johnson, Kennedy and Richarson.

Senate Bill No. 130, by Committee of Privileges and Elections.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 19, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Banks and Banking, having had under consideration House Bill No. 50, recommend and report that the same be amended (amendments attached), and that as so amended the same be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Amend House Bill No. 50, Section 139, by striking out all of said Section beginning on line 4 after the words "and complete the liquidation of their assets;" and substitute in lieu thereof the following provision:

Chapter 90, Section 6109e, Laws of 1923, shall continue in full force and effect for the sole purpose of enabling state banks now in process of voluntary liquidation to continue and complete their liquidation in the manner therein provided.

Amend House Bill No. 50 by striking out all of Section 73 and substituting therefor, the following:

Section 73. State Examiner's Fund. For the purpose of a just distribution of the expense incurred by the Department of the State Examiner, there is hereby created a fund to be designated as the "State Examiner's Fund, and all moneys collected under the provisions of this section shall be credited to said fund for the use and benefit of the General Fund of the State of Montana, except as otherwise provided herein.

COUNTIES

For the credit of such fund, each County of the State, shall pay to the State Treasurer on or before the first day of July of each year, according to its taxable valuation for the preceding year as follows:

Counties having a taxable valuation of five million dollars or less, one hundred and seventy-five dollars.

Counties having a taxable valuation of from five million to seven million dollars, two hundred and twenty-five dollars.

Counties having a taxable valuation of from seven million to ten million dollars, two hundred and fifty dollars.

Counties having a taxable valuation of from ten millions to fifteen million dollars, three hundred dollars.

Counties having a taxable valuation of from fifteen million to twenty million dollars, three hundred and fifty dollars.

Counties having a taxable valuation of from twenty million to thirty million dollars, four hundred and fifty dollars.

Counties having a taxable valuation of from thirty million to forty million dollars, six hundred dollars.

Counties having a taxable valuation of more than forty million dollars, seventy hundred and fifty dollars.

All consolidated county and city governments having a taxable valuation of from thirty million to forty million dollars, eight hundred dollars.

All consolidated county and city governments having a taxable valuation of more than forty million dollars, one thousand dollars.

CITIES AND TOWNS

For the credit of such fund, each city and town of the State, shall pay to the State Treasurer, on or before the first day of July of each year, according to its taxable valuation for the preceding year, as follows:

Cities and towns having a taxable valuation of two hundred thousand dollars, or less, twenty-five dollars.

Cities and towns having a taxable valuation of from two hundred thousand dollars to five hundred thousand dollars, fifty dollars.

Cities and towns having a taxable valuation of from five hundred thousand dollars to seven hundred and fifty thousand dollars, seventy-five dollars.

Cities and towns having a taxable valuation of from seven hundred and fifty thousand dollars to one million dollars, one hundred dollars.

Cities and towns having a taxable valuation of from one million dollars to two million five hundred thousand dollars, one hundred fifty dollars.

Cities and towns having a taxable valuation of from two million five hundred thousand dollars to five million dollars, two hundred dollars.

Cities and towns having a taxable valuation of from five million dollars to ten million dollars, two hundred fifty dollars.

Cities and towns having a taxable valuation of more than ten million dollars, three hundred dollars.

FREE COUNTY HIGH SCHOOLS

For the credit of said fund, each Free County High School shall pay to the State Treasurer on or before the first day of July of each year, a fee in the amount of twenty-five dollars.

IRRIGATION DISTRICTS

For the credit of said fund, each irrigation district under the supervision of the State Examiner, shall pay to the State Treasurer on or before the first day of July of each year, the following amounts:

Districts whose existing or proposed obligations are in excess of two hundred and fifty thousand dollars, fifty dollars.

Districts whose existing or proposed obligations are less than two hundred and fifty thousand dollars, twenty-five dollars.

BANK AND TRUST COMPANIES

For the credit of said fund, each bank, trust company or investment company, under the supervision of the Superintendent of Banks, shall pay to the State Treasurer, on or before the first day of July of each year, a fee according to the following rates:

All banks, incorporated or unincorporated, having capital stock of twenty-five thousand dollars or under, shall pay one hundred dollars.

Those having capital stock of over twenty-five thousand dollars and up to and including fifty thousand dollars, shall pay one hundred twenty-five dollars.

Those having capital stock of over fifty thousand dollars and up to and including seventy-five thousand dollars shall pay one hundred fifty dollars.

Those having capital stock of over seventy-five thousand dollars and up to and including one hundred thousand dollars, shall pay two hundred dollars.

Those having capital stock of over one hundred thousand dollars and up to and including three hundred thousand dollars, shall pay two hundred dollars.

Those having capital stock of over three hundred thousand dollars, shall pay three hundred fifty dollars.

BUILDING AND LOAN ASSOCIATIONS

For the credit of said fund, each Building and Loan Association under the supervision of the Superintendent of Banks, shall pay to the State Treasurer, on or before the first day of July of each year, a fee based upon the total assets of such association as shown by its last annual statement and upon the following rates:

All building and loan associations having total assets in the amount of fifty thousand dollars or less, shall pay a fee in the amount of thirty-five dollars.

Those having total assets in the amount of fifty thousand dollars and less than two hundred thousand dollars, shall pay a fee of seventy-five dollars.

Those having total assets in the amount of two hundred thousand dollars, and less than five hundred thousand dollars, shall pay a fee of one hundred dollars.

Those having total assets in the amount of five hundred thousand dollars, and less than one million dollars, shall pay a fee of one hundred fifty dollars.

Those having total assets in the amount of one million dollars and less than one million five hundred thousand dollars, shall pay a fee of two hundred dollars.

Those having total assets in the amount of one million five hundred thousand dollars and less than two million dollars, shall pay a fee of two hundred fifty dollars.

Those having total assets in the amount of two million dollars and less than three million dollars, shall pay a fee of three hundred dollars.

Those having total assets in the amount of three million dollars and less than four million dollars, shall pay a fee of four hundred dollars.

Those having total assets in the amount of four million dollars and less than five million dollars, shall pay a fee of five hundred dollars.

Those having total assets in the amount of five million dollars and less than six million dollars, shall pay a fee of seven hundred dollars.

Those having total assets in the amount of six million dollars or more, shall pay a fee of eight hundred dollars.

Provided further, that all Building and Loan Associations incorporated under the laws of other states, and doing business in the State of Montana under the supervision of the Superintendent of Banks, in addition to the regular fee as above set forth, shall pay to the examiners making such examination, their necessary traveling expenses including transportation and subsistence.

Special examinations may be made of any county, city, town, school district, irrigation district, high school, bank, building and loan association

or any other office, board or commission, whether temporary or permanent, however created, and for whatever purpose, having the control, management, collection or disbursement of any public money of any character or description, when in the judgment of the State Examiner it shall be deemed necessary, and such special examinations shall be charged for at the rate of fifteen dollars per day for each examiner employed for the time actually consumed, together with necessary transportation. All fees or charges so collected by the Superintendent of Banks and paid to the State Treasurer, shall be credited to the State Examiner's Departmental Appropriation for the current year by the State Auditor.

In any case where the current examination shall not have been made prior to the first day of July of any year, the above fees much be paid as herein specified, provided, however, that all examinations shall cover the entire period from the date of the last examination."

Helena, Montana, February 19, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees this day reported:

Committee on Finance and Claims, Senate Bill No. 88 report same without recommendation.

Committee on Sanitary Affairs, House Bill No. 204, recommend said bill be concurred in.

Committee on Sanitary Affairs, House Bill No. 177, recommend same be concurred in.

Committee on Taxation, House Bill No. 145, recommend same be concurred in.

Reports adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 19, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees have this day reported as follows:

Committee on Roads and Highways report that S. B. No. 90 be amended as follows:

Amend by striking out in line 4 of Section 2 after the word "vehicle" the words "and every traveling employee of such dealer, or person operating as sub-dealer, either for a salary or on commission."

Amend by striking out in line 8, Section 2, after the word "dealer" the words "traveling dealer, or sub-dealer".

Amend by striking out in line 18 of Section 2 after the word "to" the word "each" and inserting in lieu thereof the word "such". Also strike out in line 20 of Section 2 the word "four" and insert in lieu thereof the word "six"; also insert in line 20 of Section 2 between the words "plates" and "which" the following: "the license plates issued for any one application are to be used by the dealer making the application in the territory surrounding and near the place of business designated, and they shall not be used by any place of business other than the one designated by the dealer in his application."

Amend by striking out in line 26 of Section 2 the words and figures "Fifteen (\$15.00) Dollars" and insert in lieu thereof the words and figures "Ten (\$10.00) Dollars", and, as amended, the bill do pass.

Committee on Roads and Highways report that S. B. No. 54 do not pass, but that Substitute for S. B. No. 54 do pass.

Committee on Roads and Highways report that S. B. No. 59 do not pass.

Committee on Public Lands report that S. B. No. 117 do not pass, but that Substitute for S. B. No. 117 do pass.

Morning Session.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 19, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows: Report adopted. Morning Session.

That S. B. No. 58 be amended in Section 3 by inserting in line two after "1921" the following "as amended by Chapter 178 of the Session Laws of the Nineteenth Legislative Assembly of 1925", and, as amended, it do pass.

That consideration of Senate Sub. for S. B. No. 91 be passed.

That S. B. No. 107 do pass.

That consideration of S. B. No. 109 be passed.

That Senate Bill No. 127 do not pass.

That S. B. No. 128 do pass.

That S. B. No. 129 do pass.

That S. B. No. 110 do not pass.

That S. B. No. 130 do pass.

That S. J. R. No. 10 do pass.

That S. B. No. 85 do pass.

That S. B. No. 92 be amended in Section 1 by adding in line 8 after the comma that follows the word "Governor" the word "one", and, as amended, it do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 241, 113, 178, 208, 212, 222, 259, 287, 98, 125, 201, 226, 242, 263, 267, and House Joint Resolution No. 10.

GREEN of Dawson, Chairman."

Printing Committee reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 205, 268, 296, 261, 257, 70, as correctly printed.

COONEY, Chairman."

There being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

House Bill No. 221, introduced by Committee on Revenue and Taxation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Adair, Ballard, Benson, Barry, Besancon, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Holton, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, McLeod, Marshall, Merritt, Miller (Fergus), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, O'Day, Prescott, Reed, Rife, Rockwood, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Waite, Warren, Westlake, White, Willard, Mr. Speaker. Total—76.

Noes: Abrahamson, Akofer, Benjamin, Bonine, Logan, Lowry, Mason, Miller (Lincoln), McCleary, Nicholson, Plank, Plumer, Rognlien, Throssel, Troy, Woodcock. Total—16.

Absent and not voting: Arnold, Dellwo, Fulsher, Green (Dawson), Hodgskiss, Johnson, Jones (Phillips), Knight, Tierney, Tinsley. Total—10.

House Bill No. 224, introduced by Committee on Taxation and Revenue, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Throssel, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—89.

Noes: Ballard, Flachsenhar, Leavitt, Miller (Lincoln), Rorvik, Thorburn. Total—6.

Absent and not voting: Dellwo, Fulsher, Johnson, Jones (Phillips), Knight, Tierney, Tinsley. Total—7.

House Bill No. 237, introduced by Willard, having been read three several times, title and history agreed to, was rejected by the following vote:

Ayes: Besancon, Bonine, Bretzke, Bricker, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Donaldson, Dougherty, Flachsenhar, Gustafson, Hardcastle, Hodgskiss, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Leavens, Lillis, Logan, McCleary, Marshall, Miller (Fergus), Moss, Murphy, Nagle, Reed, Rognlien, Shields, Stambaugh, Throssel, Troy, Westlake, White, Willard, Mr. Speaker. Total—44.

Noes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Brown, Chatham, Darlington, Dellwo, Doran, Dunn, Erickson, Foot, Goodwin, Green (Fergus), Green (Dawson), Hagerty, Harris, Holton, Kroman, Lamb, Larson, Leavitt, Lowry, McLeod, Mason, Merritt, Miller (Lincoln), Moulton, Mulholland, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rorvik, Ryder, Sample, Sparling, Steeves, Sutton, Thorburn, Tierney, Waite, Warren, Woodcock. Total—53.

Absent and not voting: Fulsher, Johnson, Jones (Phillips), Knight, Tinsley. Total—5.

House Bill No. 281, introduced by Leavitt, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—93.

Noes: None.

Absent and not voting: Cavanaugh, Fulsher, Holton, Johnson, Jones (Phillips), Knight, Larson, Sample, Tinsley. Total—9.

House Bill No. 241, introduced by Kelly, Barry, Ballard, Goodwin and Hardcastle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke,

Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Troy, Waite, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—92.

Noes: Jensen. Total—1.

Absent and not voting: Fulsher, Holton, Johnson, Jones (Phillips), Knight, Merritt, Tierney, Tinsley, White. Total—9.

House Bill No. 113, introduced by Dellwo, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Barry, Bonine, Bricker, Burke, Burns, Cavanaugh, Cheadle, Clarke, Dellwo, Donaldson, Doran, Dougherty, Erickson, Foot, Goodwin, Green (Dawson), Gustafson, Hardcastle, Harris, Holton, Jensen, Jones (Ravalli), Kelly, Lamb, Larson, Lillis, McLeod, Mason, Miller (Fergus), Moss, Mulholland, Murphy, Nagle, Nelson, Nicholson, Plank, Reed, Rife, Rognlien, Ryder, Sample, Shields, Sparling, Sutton, Throssel, Troy, Waite, Warren, White, Mr. Speaker. Total—55.

Noes: Arnold, Besancon, Bretzke, Brown, Budas, Chatham, Clausen, Cooney, Curran, Darlington, Dunn, Flachsenhar, Green (Fergus), Hodgskiss, Jameson, Jones (Cascade), Knowles, Kroman, Leavitt, Logan, Lowry, McCleary, Marshall, Merritt, Miller (Lincoln), Moulton, Nelstead, O'Day, Plumer, Prescott, Rockwood, Stambaugh, Steeves, Thorburn, Westlake, Willard, Woodcock. Total—37.

Absent and not voting: Benson, Fulsher, Hagerty, Johnson, Jones (Phillips), Knight, Leavens, Rorvik, Tierney, Tinsley. Total—10.

House Bill No. 178, introduced by Kelly, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavitt, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—92.

Noes: None.

Absent and not voting: Fulsher, Harris, Johnson, Jones (Phillips), Knight, Leavens, Lillis, Rognlien, Rorvik, Tinsley. Total—10.

House Bill No. 208, introduced by Knight, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Doran, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavitt, Logan, Lowry, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle,

elson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—88.

Noes: McCleary. Total—1.

Absent and not voting: Besancon, Donaldson, Dougherty, Fulsher, Harris, Johnson, Jones (Phillips), Knight, Knowles, Leavens, Lillis, Sam-
e, Tinsley. Total—13.

House Bill No. 212, introduced by Committee on Dairying, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Hodgskiss, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavitt, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tierney, Troy, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: Green (Dawson), Sample, White. Total—3.

Absent and not voting: Darlington, Fulsher, Harris, Johnson, Jones (Phillips), Knight, Knowles, Leavens, Lillis, Merritt, Thorburn, Tinsley, Waite. Total—13.

House Bill No. 222, introduced by Committee on Revenue and Taxation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benson, Barry, Besancon, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Holton, Jensen, Jones (Ravalli), Jones (Cascade), Kroman, Lamb, Larson, Leavitt, Logan, McLeod, Marshall, Merritt, Miller (Fergus), Moss, Moulton, Murphy, Nagle, Nelson, Nelstead, O'Day, Reed, Rife, Rockwood, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—74.

Noes: Benjamin, Bonine, Dellwo, Goodwin, Kelly, Lowry, McCleary, Mason, Miller (Lincoln), Mulholland, Nicholson, Plank, Plumer, Prescott, Rognlien, Troy. Total—16.

Absent and not voting: Clausen, Fulsher, Green (Fergus), Hodgskiss, Jameson, Johnson, Jones (Phillips), Knight, Knowles, Leavens, Lillis, Tinsley. Total—12.

House Bill No. 259, introduced by Bricker, Cheadle, Bonine and Mason, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bretzke, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Sample, Shields, Sparling, Stambaugh, Steeves, Sut-

ton, Thorborn, Throssel, Tierney, Troy, Waite, Warren, Westlake, Whit Willard, Woodcock, Mr. Speaker. Total—85.

Noes: Flachsenhar, Leavitt, Plank, Rorvik, Ryder. Total—5.

Absent and not voting: Fulsher, Holton, Jameson, Johnson, Jones (Phillips), Knight, Knowles, Leavens, Lillis, Merritt, Nagle, Tinsley. Total—12.

Printing Committee reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 163, 228, 274, 262, 309, 277, 90, 308, as correctly printed.

COONEY, Chairman."

Moved by Bricker, duly seconded and carried, that the House adjourn until 9:30 A. M., Monday, February 21, 1927.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

FIFTIETH DAY

House of Representatives,
Helena, Montana, February 21, 1927.

House convened pursuant to adjournment at 9:30 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all members present except: Bretzke, excused; Johnson excused.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty-ninth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

REPORTS OF SELECT COMMITTEES

The report of the special committee appointed to amend Substitute House Bill No. 190 was received:

"Mr. Speaker: We, your Special Committee appointed to amend Substitute House Bill No. 190, having had under consideration Substitute House Bill No. 190 respectfully report as follows: "That Sub. House Bill No. 190 be amended by striking out all of the title thereof and inserting in lieu thereof the following:

A Bill for an Act entitled: "An Act accepting the powers granted by an Act of the 67th Congress, No. 48, entitled: "An Act to amend an Act approved February 22, 1889, entitled: "An Act to provide for the division of Dakota into two states and to enable the people of North Dakota, South Dakota, Montana and Washington to form constitutions and state governments, and to be admitted into the Union on an equal footing with the original states, and to make donations of public lands to such states." Approved August 11th, 1921, providing for the disposition of oil and gas deposits reserved by the State of Montana or in land owned by the State of Montana, authorizing the State Board of Land Commissioners to grant oil and gas leases covering such deposits; limiting the amount and extent of land which may be lease; defining the qualifications for lessees and assignees; providing the form and contents of such oil and gas leases and for the assignment, relinquishment, surrender, cancellation and forfeiture thereof; requiring the payment of fees and penalties and the giving of bonds by lessees and assignees; providing the method for cancelling and forfeiting oil and gas leases hereunder; providing for drilling off-set wells and preventing waste; providing for the collection and disposition of fees, rentals, penalties and royalties, ratifying, confirming and

approving oil and gas leases heretofore issued; providing for the surrender or amendment of oil and gas leases issued by the State prior to the passage and approval of this Act; prohibiting certain State officers from acquiring any estate or interest thereunder; providing penalties for the violation of this Act; repealing all Acts or parts of Acts in conflict herewith."

And be it further amended by striking Sections one (1) to seventeen (17) inclusive, and inserting in lieu thereof the following:

Section 1. The State Board of Land Commissioners is hereby authorized and empowered to lease in such manner as it may determine, not inconsistent with the enabling act and the constitution, any state lands to which the title has vested in the state and in which the oil and gas rights are not reserved by the United States, for prospecting and exploring for oil and gas, mining, drilling, developing, and removing the same upon the terms and conditions herein prescribed, to any person, association, corporation, domestic or foreign, or municipality qualified under the Constitution and the laws of the State of Montana. This power and authority to lease state lands for such purposes shall extend to and include all lands owned by the state under navigable lakes and streams, and shall also extend to and include all those state lands which have been sold but in which the oil and gas rights have been reserved by the State of Montana; but in such cases and in all cases where the lands are under lease for grazing, agriculture or similar purposes, care shall be taken in issuing the oil and gas leases to protect the rights of the purchaser or lessee.

In every oil and gas lease granted pursuant to the terms hereof there shall be reserved unto the State of Montana the right to sell, lease, or otherwise dispose of the surface of the lands covered thereby, subject always to the rights and privileges granted unto the lessee under such oil and gas lease.

In the case of mortgage lands hereafter sold by the state in which the oil and gas rights belong to and are reserved by and for the state, when the state leases such lands for oil and gas purposes, the holder of such lands under certificate of purchase or other contract, or deed from the state, shall be allowed a royalty of one per centum (1%) of the oil and gas produced from such lands, to be calculated on the same basis as the royalty to be paid to the state as hereinafter provided and to be paid by the lessee directly to the person or persons entitled thereto, said one per centum (1%) royalty to be deducted from the royalty reserved to the state.

Oil and gas leases issued under the provisions of this Act shall all be subject to the conditions that the lessee in conducting his explorations and mining or drilling operations shall use all reasonable precautions to prevent waste of oil or gas developed in the land or the entrance of water through wells drilled by him to the oil or gas sands or oil or gas bearing strata to the destruction or injury of the oil or gas deposits. Violations of any of these conditions shall constitute grounds for the forfeiture of the lease after hearing had thereon before the State Board of Land Commissioners.

Section 2. No person, association, corporation, or municipality shall acquire and at any one time hold, by original grant from the State, by assignment, or by operation of law, under the provisions of this Act, in the aggregate, more than six hundred and forty (640) acres of land, or a section of land as defined by the public land survey of the United States containing approximately six hundred and forty acres; Provided, however, such maximum acreage may be so acquired and held under one or more oil and gas leases. Nothing herein contained shall be construed to prohibit the acquisition of any oil and gas lease by succession, will, judgment, decree, or otherwise by operation of law: Provided, however, that any oil or gas lease so acquired by any person in excess of one section of land shall automatically terminate two years after its acquisition unless the same shall theretofore have been assigned to a qualified assignee. All leases issued hereunder shall be granted for a period not exceeding five (5) years and as long thereafter during the term of fifteen (15) years

commencing with the date of such lease or leases as oil or gas of commercial quality and in commercial quantity shall be produced from the land covered thereby; Provided, however, that all drilling, rental and other obligations are fully kept and performed by the lessee.

Section 3. The minimum annual money rentals to be paid to the State for oil and gas leases under the provisions of this Act shall be seventy-five cents for each acre of land leased; provided, however, that such rental shall in no case be less than fifty dollars per annum.

A filing fee of two dollars and fifty cents for each oil and gas lease issued and a fee in the same amount for each assignment shall be paid to the Register of State Lands. Such filing fee and the first year's rental shall be paid before the issue of the lease. The rentals for each subsequent year of the lease shall be due and payable thirty days before the beginning of such subsequent year.

The lands shall be leased in as compact bodies as the form and area of the tracts held by the state and offered for lease will permit. No lease shall embrace non-contiguous subdivisions of lands unless such subdivisions shall be within an area comprising not more than one square mile.

In all cases where an oil and gas lease hereafter issued shall be surrendered for cancellation before its expiration, relinquished to the state or cancelled through proceedings on the part of the state no new lease on the lands under such lease shall be issued within 30 days from the date of cancellation or relinquishment. This restriction shall not apply however in case of bona fide assignment.

Section 4: In every oil and gas lease granted by the State there shall be reserved as consideration therefor, in addition to the rentals hereinbefore provided, a royalty in all oil and gas produced and saved from all lands covered thereby, and not used for light, fuel, and operation purposes on the leased premises, which shall be equivalent to the full market value, as ascertained by the State Board of Land Commissioners at the date of such lease of the estate or interest of the State in the lands and oil and gas deposits disposed of under such lease; provided that such royalty reservation shall not be less than twelve and one-half percent of the whole thereof. Such lease shall provide for the rendering of payment of such royalty in the following manner and upon the following terms:

The lessee shall pay to the State, in cash, for all oil and gas royalty reserved, the posted field price existing on the day such oil or gas is run into any pipe line or storage tank to the credit of the lessee, plus any bonus actually paid, or agreed to be paid, to the lessee, for such oil or gas; or, at the option of the State, exercised in writing by the State Board of Land Commissioners not oftener than every thirty days, the lessee shall deliver the State's royalty oil or gas free of cost or deductions, into the pipe line to which the wells of the lessee may be connected or into any storage designated by the State and connected with such wells.

Section 5. On or before the 15th day of each month every holder of an oil or gas lease shall make a report to the Register of State Lands for the preceding calendar month, which report shall be in such form as the State Board of Land Commissioners may prescribe. Such report shall show the amount of oil or gas produced and saved during such preceding month, the price obtained, the total amount of all sales, and such additional information as may be required and shall be verified by the affidavit of the lessee or some responsible person having knowledge of the facts, and shall be accompanied by payment of the amount due the state as royalty for the month covered by the report.

Section 6. In each and every oil and gas lease granted by the State there shall be reserved unto the State Board of Land Commissioners full power and authority to declare termination of the same upon failure of the lessee to drill at least one well upon the leased premises not less than six inches in diameter to the depth of at least one thousand feet, unless oil or gas in commercial quantity and of commercial quality shall be encountered at a shallower depth within two years after the date of the lease.

provided further, that if oil or gas in commercial quantities are not found to the depth of one thousand feet or less, then in that event the lessee shall continue drilling with diligence to such depth as may be necessary to make a reasonable test for oil or gas. The Board may, in its discretion, upon satisfactory showing by the lessee, extend the time for commencement or completion of such drilling obligation from year to year not exceeding five years from and after date of lease upon such terms and considerations as the Board may determine, and upon the payment to the Register of State Lands of a penalty of one dollar per acre per year for each year beginning with the third year, payable each year in advance.

Section 7. The Board shall have the power and authority to prescribe such rules and regulations and to do and perform all acts and things not inconsistent with the Enabling Act, the constitution, and the statutes of this State as it may deem necessary and proper relating to the leasing of state lands for oil and gas exploration and development.

Section 8. Any holder of an existing oil and gas lease heretofore issued shall have the right to exchange such lease for an amended lease issued under the provisions of this act and embracing the same land. When the holder of any such lease makes written application to the board in due form for such exchange, the board shall issue an amended lease, embracing the same land as the former lease, in the ordinary and regular form duly adopted by the board under the provisions of this act subject to the same royalty reservations unto the state; but there shall be deducted from the term for which such amended lease may be issued, the time that has passed from the date of the issue of the former lease to the date of the issue of the amended lease, and the lessee shall be credited on the amended lease with development work performed on the leased premises under the former lease.

All existing oil and gas leases heretofore executed by the Register of State Lands on behalf of the State of Montana are hereby ratified, confirmed, and approved; Provided, that the holder of any such lease shall, within ninety days from the date this Act goes into effect, file in the office of the Register of State Lands, consent in writing to the amendment of such lease to contain a reservation to the State of the right at all times to take and receive its royalties in money or kind in accordance with the provisions of Section 4 of this Act, and failure or refusal of the holder of any such lease to file such consent within such time shall automatically deprive such lessee of all of the benefits conferred by this Act.

Section 9. The State Board of Land Commissioners shall require lessees of oil and gas leases and assigns thereof to furnish bonds to the state in form and substance prescribed by law or by regulations of the board and in amount, or amounts, adequate to indemnify the State against loss, damage or detriment by reason of failure of the lessee to fully discharge the obligations contained in any lease or assignment thereof, including the payment of any money penalties fixed by the Board; Provided, that no bond in excess of Twenty Thousand Dollars shall be required under any one lease for any one year.

Section 10. All oil and gas leases granted by the State pursuant to the terms of this Act shall provide for forfeitures and cancellation thereof upon failure of the lessee to fully discharge the obligations provided herein, after written notice from the State and reasonable time allowed to the lessee for performance of any undertaking or obligation specified in such notice concerning which the lessee is in default. The State Board of Land Commissioners is hereby granted full power and authority to order and hold hearings on any matter or question involving oil and gas leases, under such rules and regulations as it may adopt; and any lessee, upon application therefor, shall be granted a hearing on any notice or demand of the said Board before any lease is declared forfeited or cancelled by the board.

Section 11. The lessee shall be required, upon completing a commercially productive oil or gas well upon the leased premises, to proceed with reasonable diligence to drill such additional wells to the depth of the

formation found commercially productive or to such depth as may be necessary to economically test, develop and operate the deposits discovered. No lessee shall, however, be required to drill to completion more than one well under any one lease during any one calendar year, or a total number of wells under any one lease in excess of the total number of forty acre subdivisions of land held under such lease; and, as to lands found valuable for gas productions only, the drilling obligation of the lessee shall be confined to a total number of wells equal to the total number of tracts comprising one hundred and sixty acres of land included in the lease; except, as the drilling of off-set oil or gas wells necessary to protect the leased premises and deposits from loss or depletion due to wells drilled on contiguous lands shall require greater diligence in drilling and a greater number of wells to be drilled; provided, that the performance of said well drilling operations may be suspended only by agreement with the consent of the State Board of Land Commissioners during the time oil or gas previously discovered cannot be marketed at a profit or for other good cause shown.

Section 12. All fees, rentals, penalties, royalties and bonuses collected for or under such leases shall be paid to the Register of State Lands and by him credited as follows: All fees and penalties shall be credited to the state general fund; all rentals shall be credited to the income fund of the grant to which the lands under each lease belongs; all money collected as royalties and bonuses shall be credited to the permanent fund arising from the grant to which the land under each particular lease belongs and become and forever remain and inseparable and inviolable part thereof; provided, however, that all royalties and bonuses collected from the lands forming part of the Capitol building grant shall be available as income the same as all other receipts from such lands; and provide further that all moneys received as rentals, royalties and bonuses for oil under leases on lands owned by the State of Montana and not held in trust for the public school of the State or for any state institution shall be credited, one-half to the state general fund and the one-half to the state permanent revenue fund as defined by Article XXI of the Constitution.

Section 13. The State of Montana, for the purpose of enabling it to take advantage of the powers to it granted by the United States, mentioned in an Act of the Sixty-seventh Congress, No. 48, entitled: "An Act to amend and approved February 22nd, 1889, entitled: 'An Act to provide for the division of Dakota into two states and to enable the people of North Dakota, South Dakota, Montana and Washington to form constitutions and State governments, and to be admitted into the Union on an equal footing with the original states, and to make donations of public lands to such State,'" approved August 11th, 1921, hereby accepts said powers as of said date of approval of said amendatory Act.

Section 14. The State Board of Land Commissioners is hereby authorized to correct errors of any kind in leases, conveyances or other instruments in writing issued pursuant to the terms hereof and to cause any and all moneys erroneously paid to the State under oil and gas leases applications therefor, or lands and the products thereof covered thereby to be refunded to the person or persons entitled; thereto from the proper fund.

Section 15. The Board at the expiration of any lease granted under the terms of this Act is authorized to advertise the land held thereunder for releasing and to lease the same to the highest responsible bidder therefor at public auction; provided, however, that any person, association, firm or corporation who held such lease at the expiration thereof on any such land shall have the privilege of releasing the same at such highest responsible bid offered therefor, upon such terms and conditions as may be prescribed by the said board or by the legislative assembly. And the board shall have the privilege of rejecting any and all bids.

Section 16. The assignment of any oil and gas lease issued under the provisions of this Act, either in whole or as to subdivision of land embracing not less than forty acres covered thereby, made to an assignee qualified

s provided herein, shall be permitted. Such assignment shall not, however, be binding upon the State until filed in the office of the Register of State Lands accompanied by the required fees and bond, together with such proof of qualifications as may be required by the State Board of Land Commissioners, and approved by said Board or its lawful representatives; Provided, that the approval of any such assignment so filed and supported shall not be withheld in any case where the rights or interest of the State in the property assigned will not in the judgment of the Board be prejudiced thereby, and the decision, of the Board in all cases to be subject to appeal upon proper court proceedings. All other assignments of oil and gas leases issued under the provisions of this Act or interests therein shall be subject to approval by the State Board of Land Commissioners and shall be binding upon the State in the discretion of said Board.

Section 17. Upon the termination for any cause, of any lease issued pursuant to this Act, the former lessee shall have six (6) months after the date of said termination within which to remove all machinery, fixtures, improvements, buildings and equipment belonging to him, upon said premises, except casing in the wells and other equipment or apparatus necessary for the preservation of any oil or gas well or wells; Provided, however, that as to such casing, equipment and apparatus, any succeeding lessee, or in the event there be no succeeding lessee, the State of Montana, wishing to have such property left upon the premises, shall pay the reasonable value thereof, in cash, to the former lessee, but if the succeeding lessee or the State of Montana acting through its Board of State Land Commissioners, is unable to agree with the former lessee upon the reasonable cash value of such casing, equipment and apparatus, then the succeeding lessee or the State of Montana, as the case may be, shall pay, in cash, to the former lessee therefor, such sum as, may be fixed as a reasonable price by a board of three appraisers, one of whom shall be chosen by the successful bidder, one by the former lessee and the third by the two so chosen, and when appraised shall be reported to the respective parties, in writing, and thereupon be final and conclusive. The former lessee may remain in possession and manage the land and property formerly covered by his lease until the value of said casing, equipment and apparatus which such succeeding lessee or the State of Montana, itself desire to have left upon said premises, is fixed, in the manner hereinbefore provided, and shall have been paid to him, in cash, and during such times as such former lessee remains in such possession, he shall be entitled to retain the same share of the products of the premises as insured to him during the term of his lease. Should the State of Montana or other bidder, not desire any of lessee's property, as provided in this paragraph, the lessee shall properly plug all wells and remove all of said property from said lands."

And as so amended Sub. House Bill No. 190 be placed on General Orders.

Moved by Bricker, duly seconded and carried, that the report be considered read at length and the Journal so show; that the report be adopted as recommended, and placed on General Orders.

The Speaker gave notice that he was about to sign House Resolution No. 5 and House Bill No. 143 and thereupon signed the same.

At the request of Donaldson, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Donaldson, duly seconded and carried, that House Bill No. 63 be taken from Third Reading and placed on General Orders.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House resolve itself into Committee of the Whole, for consideration of General Orders, under the same rules as adopted yesterday.

Mr. Gustafson in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Substitute for House Bill No. 190, respectfully report as follows: That Substitute for House Bill No. 190 do pass.

GUSTAFSON, Chairman."

On motion of Gustafson, report adopted.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House resolve itself into Committee of the Whole for consideration of General Orders, under the same rules as previous sitting.

Mr. Gustafson in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 307, 70, 163, 205, 228, 257, 261, 262, 263, 263, 90, 274, respectfully report as follows:

That House Bill No. 307 be amended as follows:

Section 1: By adding after line 30 of printed bill the following: "(Board of Education \$260.00", and that as so amended said bill do pass.

That consideration of House Bill No. 70 be passed for the time.

That House Bill No. 163 do pass.

That House Bill No. 205 do pass.

That House Bill No. 228 do pass.

That House Bill No. 257 do pass.

That House Bill No. 261 do pass.

That House Bill No. 262 do pass.

That House Bill No. 268 do pass.

That consideration of House Bill No. 263 be passed for the time.

That House Bill No. 90 do pass.

That House Bill No. 274 do pass.

GUSTAFSON, Chairman."

On motion of Gustafson, report adopted.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House resolve itself into Committee of the Whole for consideration of General Orders, under same rules as previous sitting.

Mr. Gustafson in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 277, 296, 308, 309, 70, respectfully report as follows: That consideration of House Bill No. 277 be passed for the time.

That House Bill No. 296 do pass.

That House Bill No. 308 do pass.

That House Bill No. 309 do pass.

That House Bill No. 70 be amended as follows:

Section 1: By striking out in line 11 of printed bill the words and figures "Five (5)" and inserting in lieu thereof the words and figures "Two (2)", and that as so amended, said House Bill No. 70 do pass.

GUSTAFSON, Chairman."

On motion of Gustafson, report adopted.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that the Engrossing Clerk be instructed to correct the title of House Bill No. 136, by adding at the beginning of the title the words: "A Bill for".

Moved by Bricker, duly seconded and carried, that the Engrossing Clerk be instructed to correct the title of House Bill No. 283, by adding at the beginning of the title the words: "A Bill for".

Moved by Burns, duly seconded and carried, that Substitute for House Bill No. 284 be considered properly engrossed and placed at the head of the list on Third Reading.

Moved by Adair, duly seconded, that Substitute for House Bill No. 284 be taken from Third Reading and placed on General Orders, for the purpose of considering an amendment to Section 2, by inserting the word "First" before the word "Fourth" in line six, and for no other purpose.

Moved by Clarke, as a substitute motion, duly seconded, that the motion be laid on the table.

Question arising on the substitute motion, same was lost.

Question arising on the original motion, same carried.

The Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 172, 186, 196, 198, 214, 235, 239, 243, 264, 269, Sub. 284, 285, 305, 306, 260.

GREEN of Dawson, Chairman."

At the request of Bricker, there being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

Substitute for House Bill No. 284, introduced by Judiciary Committee, having been read three several times, title and History agreed to, was passed by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Benson, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Clausen, Cooney, Curran, Darlington, Donaldson, Dougherty, Erickson, Foot, Flachsenhar, Green (Fergus), Green (Dawson), Gustafson, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Cascade), Kelly, Knight, Kroman, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Nelson, Nelstead, Plank, Plumer, Prescott, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Sutton, Throssel, Tierney, Tinslev, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—68.

Noes: Adair, Ballard, Benjamin, Barry, Cheadle, Clarke, Doran, Dur Fulsher, Hagerty, Hardcastle, Harris, Knowles, Lamb, Logan, Mason, Moulton, Mulholland, Murphy, Nagle, O'Day, Reed, Rife, Westlake. Total—24.

Absent and not voting: Bretzke, Chatham, Dellwo, Goodwin, Johnsons (Ravalli), Moss, Nicholson, Steeves, Thorburn. Total—10.

The Committee on Ways and Means was excused for a few minutes at this time.

House Bill No. 287, introduced by Cheadle, by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clark, Clausen, Cooney, Donaldson, Doran, Dunn, Erickson, Flachsenhar, Fulsher, Green (Fergus), Green (Dawson), Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Nagle, Nelstead, Nicholson, O'Day, Plank, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Tinsley, Waite, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—75.

Noes: Cavanaugh, Goodwin, Mulholland, Plumer. Total—4.

Absent and not voting: Abrahamson, Bonine, Bretzke, Curran, Darlington, Dellwo, Dougherty, Foot, Gustafson, Johnson, Jones (Phillips), Jones (Ravalli), Knowles, Moss, Murphy, Nelson, Reed, Sample, Thorburn, Throssel, Tierney, Troy, Warren. Total—23.

House Bill No. 98, introduced by Burns, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—88.

Noes: None.

Absent and not voting: Bretzke, Dellwo, Donaldson, Goodwin, Green (Dawson), Hardcastle, Johnson, Moss, Murphy, Reed, Rife, Sample, Thorburn, Tierney. Total—14.

House Bill No. 125, introduced by Johnson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Ryder, Shields, Sparling, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Mr. Speaker. Total—84.

Noes: Benjamin, Woodcock. Total—2.

Absent and not voting: Bretzke, Dellwo, Donaldson, Goodwin, Green (Fergus), Green (Dawson), Hardcastle, Johnson, Lillis, Moss, Plumer, Orvik, Sample, Stambaugh, Thorburn, Tierney. Total—16.

At the request of Bricker, there being no objections, House reverted Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first time by title, second time at length and referred to the standing committees:

House Bill No. 311, introduced by Appropriations Committee by request: A Bill for an Act entitled: "An Act directing the State Board of Education to conduct a thorough financial survey of the common school system of Montana, authorizing the employment of assistants for said purpose and appropriating five thousand dollars to carry out the provisions of this Act." Referred to Committee on Appropriations.

House Bill No. 312, introduced by Ways and Means Committee: A Bill for an Act entitled: "An Act to provide for the support of the Government of the State of Montana for the years 1927 and 1928." Referred to Committee on Ways and Means.

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following report of standing committees was received:

"Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 312, introduced by Ways and Means Committee, respectfully report as follows: That House Bill No. 312 do pass. TROY, Chairman."

On motion of Troy, report adopted.

At the request of Bricker, there being no objections, House reverted Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that House Bill No. 312 be reported correctly printed and placed on General Orders.

At the request of Bricker, there being no objections, House reverted Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders under the same rules as previous sitting; and that House Bill No. 312 be placed at the head of the list of General Orders.

Mr. Leavens in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill Nos. 312, 263 respectfully report as follows:

That House Bill No. 312 do pass.

That House Bill No. 263 be amended as follows:

Section 1: By striking out in line 2 of the printed bill the words and figures "Fifteen Dollars \$15.00" and inserting in lieu thereof the words and figures "Ten Dollars \$10.00".

Section 2: By adding after the word "Station" in line 7 the following: Providing the provisions of this section shall not apply to forwarding sta-

tions in which no testing for butterfat is made", and that as so amended said House Bill No. 263 do pass.

LEAVENS, Chairman."

On motion of Leavens, report adopted.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 311, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 311 be printed and placed on General Orders.

REED, Chairman."

On motion of Reed, report adopted.

At the request of Bricker, duly seconded and carried, that House Bill No. 311 be reported correctly printed and placed on General Orders.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House resolve itself into Committee of the Whole for consideration of General Order under the same rules as previous sitting.

Mr. Leavens in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 311 and House Bill No. 277, respectfully report as follows:

That House Bill No. 311 do pass.

That consideration of House Bill No. 277 be passed for the time.

LEAVENS, Chairman."

On motion of Leavens, report adopted.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that House Bill No. 311 be reported properly engrossed and placed on Third Reading at the head of the list.

Moved by Bricker duly seconded and carried, that House Bill No. 311 be reported properly engrossed and placed second on the list on Third Reading.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

House Bill No. 312, introduced by Committee on Ways and Means, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benson, Barry Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh Chatham, Cheadle, Clarke, Clausen Cooney, Curran, Darlinton, Donaldson Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin Gustafson, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Phillips)

Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rockwood, Rognien, Rorvik, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—82.

Noes: None.

Absent and not voting: Benjamin, Bretzke, Dellwo, Green (Fergus), Green (Dawson), Hagerty, Holton, Johnson, Larson, McLeod, Moss, Moulton, Nelson, Rife, Ryder, Sample, Shields, Thorburn, Tierney, Westlake. Total—20.

House Bill No. 311, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Arnold, Benjamin, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Gustafson, Harris, Hodgskiss, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Knight, Lamb, Leavens, Leavitt, Lillis, Logan, McCleary, Merritt, Miller (Fergus), Miller (Lincoln), Nelstead, Plank, Reed, Rife, Rognien, Rorvik, Shields, Sparling, Stambaugh, Sutton, Throssel, Tinsley, Waite, Warren, White, Willard, Mr. Speaker. Total—56.

Noes: Abrahamson, Adair, Akofer, Ballard, Benson, Barry, Besancon, Clausen, Cooney, Curran, Goodwin, Hardcastle, Kelly, Knowles, Lowry, Marshall, Mason, Mulholland, Murphy, Nagle, Nicholson, Prescott, Rockwood, Sample, Steeves, Woodcock. Total—26.

Absent and not voting: Bretzke, Dellwo, Green (Dawson), Hagerty, Holton, Johnson, Jones (Phillips), Kroman, Larson, McLeod, Moss, Moulton, Nelson, O'Day, Plumer, Ryder, Thorburn, Tierney, Troy, Westlake. Total—20.

Moved by Bricker, duly seconded and carried, that the House recess until 1:45 P. M.

AFTERNOON SESSION

House resumed at 1:45 P. M.

Mr. Speaker in the chair.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders under same rules as previous sitting.

Mr. Darlington in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the whole, having had under consideration House Bill No. 277, respectfully report as follows: That the enacting clause be stricken from House Bill No. 277.

DARLINGTON, Chairman."

On motion of Darlington, report adopted.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

House Bill No. 201, introduced by Committee on Irrigation and Water Rights, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Nagle, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Westlake, Willard, Woodcock, Mr. Speaker. Total—89.

Noes: None.

Absent and not voting: Bretzke, Dellwo, Fulsher, Goodwin, Green (Dawson), Johnson, Moss, Mulholland, Murphy, Nelstead, Sample, Tinsley, White. Total—13.

House Bill No. 226, introduced by Shields, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—87.

Noes: None.

Absent and not voting: Akofer, Bretzke, Burns, Cooney, Dellwo, Dunn, Goodwin, Green (Dawson), Holton, Johnson, Moss, Mulholland, Murphy, Sample, Tinsley. Total—15.

House Bill No. 242, introduced by White, Leavens, Burns, Cheadle and Nagle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: Cavanaugh. Total—1.

Absent and not voting: Bretzke, Dellwo, Dunn, Goodwin, Green (Dawson), Holton, Johnson, Moss, Mulholland, Murphy, Nagle, Rorvik, Sample, Troy, Westlake. Total—15.

House Bill No. 267, introduced by Committee on Agriculture, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Fergus), Gustafson, Hagerty, Hardcastle,

Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: Abrahamson, Adair, Mason. Total—3.

Absent and not voting: Bonine, Bretzke, Curran, Dellwo, Fulsher, Goodwin, Green (Dawson), Harris, Johnson, Moss, Moulton, Mulholland, Plumer, Sample, Westlake. Total—15.

House Joint Resolution No. 10, introduced by Nelstead, Johnson, Holton, Bricker and Harris, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Bretzke, Brown, Burns, Curran, Dellwo, Goodwin, Green (Dawson), Harris, Johnson, Knight, McLeod, Moss, Moulton, Mulholland, Ryder, Westlake. Total—16.

House Bill No. 172, introduced by Dougherty, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—79.

Noes: Cheadle, Green (Fergus), Moulton, Plumer, Rorvik, Tierney. Total—6.

Absent and not voting: Bretzke, Burns, Dellwo, Fulsher, Goodwin, Green (Dawson), Harris, Johnson, Knight, Lowry, McLeod, Merritt, Moss, Mulholland, Ryder, Shields, Westlake. Total—17.

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 136, 253, 254, 283. GREEN of Dawson, Chairman."

House Bill No. 196, introduced by Committee on Banks and Banking, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty,

Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Leavens, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Shields, Stambaugh, Steeves, Sutton, Throssel, Tierney, Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—80.

Noes: Benjamin, Leavitt, Plumer. Total—3.

Absent and not voting: Bretzke, Bricker, Burns, Dellwo, Goodwin, Green (Dawson), Harris, Jameson, Johnson, Knowles, Larson, Lowry, Moss, Mulholland, Ryder, Sample, Sparling, Thorburn, Westlake. Total—19.

House Bill No. 186, introduced by Committee on State Lands, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Doran, Dougherty, Foot, Flachsenhar, Fulsher, Gustafson, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, Logan, McCleary, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, White, Willard, Mr. Speaker. Total—77.

Noes: Abrahamson, Green (Fergus), Hardcastle, Leavitt, Mason, Moulton, Plumer, Rorvik, Woodcock. Total—9.

Absent and not voting: Adair, Bretzke, Chatham, Dellwo, Dunn, Erickson, Goodwin, Green (Dawson), Hagerty, Johnson, Lowry, McLeod, Moss, Mulholland, Ryder, Westlake. Total—16.

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing beg leave to report the following bills correctly engrossed: House Bills Nos. 262, 307, 70, 261, 274.

THORBURN, Vice-Chairman."

At the request of Flachsenhar, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 198 be taken from Third Reading and placed again on General Orders.

There being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

House Bill No. 214, introduced by Holton, Cavanaugh and Foot, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Knowles, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney,

Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—91.

Noes: None.

Absent and not voting: Bretzke, Dellwo, Dougherty, Goodwin, Green (Dawson), Johnson, Logan, Moss, Rife, Ryder, Westlake. Total—11.

House Bill No. 235, introduced by Knight, having been read three several times, time and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Dougherty, Foot, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Harris, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Sparling, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Willard, Woodcock, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Besancon, Bretzke, Burns, Dellwo, Doran, Dunn, Erickson, Flachsenhar, Green (Dawson), Harcastle, Holton, Johnson, Knowles, Moss, Murphy, Nagle, Nelson, Rorvik, Ryder, Sample, Shields, Stambaugh, Steeves, Westlake, White. Total—25.

House Bill No. 239, introduced by Johnson and Nelstead, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Harcastle, Harris, Hodgskiss, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Knight, Knowles, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McLeod, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rorvik, Sample, Shields, Stambaugh, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Willard, Woodcock, Mr. Speaker. Total—78.

Noes: Abrahamson, Jones (Cascade), Kelly, McCleary, Mason, Mulholland, Troy. Total—7.

Absent and not voting: Barry, Bretzke, Burns, Dellwo, Green (Dawson), Jameson, Johnson, Larson, Marshall, Merritt, Moss, Rognlien, Ryder, Sparling, Steeves, Westlake, White. Total—17.

House Bill No. 243, introduced by Lowry, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Cavanaugh, Cheadle, Clarke, Cooney, Curran, Darlington, Doran, Dougherty, Dunn, Erickson, Foot, Fulsher, Green (Fergus), Gustafson, Hagerty, Harcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Willard, Woodcock, Mr. Speaker. Total—82.

Noes: Flachsenhar, Knight. Total—2.

Absent and not voting: Bretzke, Bricker, Burns, Chatham, Clausen, Dellwo, Donaldson, Goodwin, Green (Dawson), Holton, Johnson, Knowles,

Moss, Reed, Ryder, Troy, Westlake, White. Total—18.

House Bill No. 260, introduced by Kroman, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Doran, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Gustafson, Hagerty, Hardcastle, Harris, Jameson, Jensen, Hodgskiss, Jones (Phillips), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: Cavanaugh, Dougherty. Total—2.

Absent and not voting: Bretzke, Burns, Dellwo, Donaldson, Goodwin, Green (Fergus), Green (Dawson), Holton, Johnson, Knowles, Moss, Nicholson, Jones (Ravalli), Plumer, Ryder, Troy, Westlake. Total—17.

Substitute for House Bill No. 264, introduced by Committee on Education, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Barry, Besancon, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Donaldson, Doran, Dougherty, Erickson, Fulsher, Goodwin, Hagerty, Hardcastle, Harris, Jameson, Jensen, Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nicholson, O'Day, Plank, Plumer, Reed, Rife, Rognlien, Sample, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, White, Willard, Woodcock, Mr. Speaker. Total—68.

Noes: Curran, Darlington, Dunn, Foot, Flachsenhar, Hodgskiss, Jones (Phillips), Knowles, Merritt, Miller (Fergus), Nelson, Nelstead, Prescott, Rockwood, Rorvik, Stambaugh, Tinsley, Warren. Total—18.

Absent and not voting: Benson, Bonine, Bretzke, Bricker, Dellwo, Green (Fergus), Green (Dawson), Gustafson, Holton, Johnson, Jones (Ravalli), Moss, Ryder, Troy, Waite, Westlake. Total—16.

House Bill No. 269, introduced by Moss, Dellwo, Bricker, Jones (Phillips), Leavens and Foot, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, White, Willard, Woodcock, Mr. Speaker. Total—90.

Noes: None.

Absent and not voting: Besancon, Bretzke, Dellwo, Dougherty, Goodwin, Green (Dawson), Johnson, Moss, Ryder, Sparling, Waite, Westlake. Total—12.

House Bill No. 285, introduced by Stambaugh, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh,

Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—92.

Noes: None.

Absent and not voting: Bretzke, Bricker, Dellwo, Goodwin, Green (Dawson), Johnson, Moss, Ryder, Sparling, Westlake. Total—10.

House Bill No. 305 introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Arnold, Ballard, Benjamin, Benson, Barry, Bricker, Brown, Budas, Burke, Burns, Cheadle, Curran, Darlinton, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Gustafson, Hardcastle, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Merritt, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Reed, Rife, Rockwood, Rognlien, Rorvik, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, White, Willard, Mr. Speaker. Total—75.

Noes: Akofer, Besancon, Cavanaugh, Clarke, Donaldson, Harris, Hodgskiss, Prescott, Warren, Woodcock. Total—10.

Absent and not voting: Adair, Bonine, Bretzke, Chatham, Clausen, Cooney, Dellwo, Goodwin, Green (Dawson), Hagerty, Johnson, Logan, Moss, Nelson, Ryder, Sample, Westlake. Total—17.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under the same rules as previous sitting.

Mr. Darlinton in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 198, respectfully report as follows: That House Bill No. 198 be amended as follows: Amend Section 1 in line 3 of printed bill by inserting in line 3 after the word "full" the words "once a week", and that as so amended, said bill do pass.

DARLINTON, Chairman."

On motion of Darlinton, report adopted.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

House Bill No. 306, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Dougherty, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Lillis, Leavitt, Lowry, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Prescott, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—82.

Noes: Plumer. Total—1.

Absent and not voting: Besancon, Bonine, Bretzke, Burns, Dellwo, Doran, Dunn, Green (Dawson), Hardcastle, Johnson, Knowles, Logan, McLeod, Moss, Nelson, Reed, Ryder, Stambaugh, Waite. Total—19.

House Bill No. 136, introduced by Shields, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Barry, Besancon, Brown, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Darlinton, Donaldson, Doran, Erickson, Fulsher, Goodwin, Green (Fergus), Hagerty, Hardcastle, Harris, Hodgskiss, Jensen, Jones (Phillips), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Leavitt, Lillis, Mason, Miller (Fergus), Moulton, Mulholland, Murphy, Nagle, Nelstead, O'Day, Reed, Rognlien, Shields, Steeves, Sutton, Thorburn, Tierney, Woodcock, Mr. Speaker. Total—51.

Noes: Benjamin, Benson, Bonine, Budas, Clausen, Curran, Dougherty, Foot, Flachsenhar, Holton, Jameson, Jones (Ravalli), Knight, Larson, Leavens, Logan, Lowry, McCleary, McLeod, Marshall, Merritt, Miller (Lincoln), Nicholson, Plank, Plumer, Prescott, Rife, Rockwood, Rorvik, Ryder, Sample, Sparling, Throssel, Tinsley, Troy, Warren, Westlake, White, Willard. Total—39.

Absent and not voting: Bretzke, Bricker, Burns, Dellwo, Dunn, Green (Dawson), Gustafson, Johnson, Moss, Nelson, Stambaugh, Waite. Total—12.

House Bill No. 253, introduced by Committee on Revenue and Taxation, at the request of the State Board of Equalization, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Cheadle, Chatham, Clarke, Clausen, Curran, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Kroman, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: Cavanaugh, Leavitt, Plumer. Total—3.

Absent and not voting: Bretzke, Bricker, Burns, Cooney, Darlinton, Dellwo, Dunn, Green (Dawson), Johnson, Kelly, Knowles, Moss, Prescott, Ryder, Stambaugh, Waite. Total—16.

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 296, 163, 263, 309, 205, 257.

THORBURN, Vice-Chairman."

House Bill No. 254, introduced by Committee on Revenue and Taxation, at the request of the State Board of Equalization, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard Benjamin, Barry, Besancon, Bonine, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Curran, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Steeves, Sutton, Leavitt, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—85.

Noes: None.

Absent and not voting: Benson, Bretzke, Bricker, Brown, Burns, Clausen, Darlinton, Dellwo, Green (Dawson), Johnson, Leavens, Moss, Nicholson, Ryder, Shields, Stambaugh, Thorburn. Total—17.

House Bill No. 283, introduced by Moss, Dellwo, Nelstead and Miller of Lincoln, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Budas, Burke, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlinton, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hardcastle, Harris, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelstead, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Bretzke, Brown, Burns, Cheadle, Dellwo, Donaldson, Doran, Green (Dawson), Hagerty, Hodgskiss, Johnson, Kelly, Kroman, Logan, Merritt, Moss, Moulton, Nelson, Nicholson, Sample, Shields, Stambaugh, Waite. Total—23.

House Bill No. 262, introduced by Thorburn and Kroman, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson,, Akofer, Ballard, Barry, Bonine, Bricker, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Doran, Dougherty, Dunn, Foot, Flachsenhar, Fulsher, Goodwin, Gustafson, Hardcastle, Hodgskiss, Jameson, Jensen, Jones (Ravalli), Kelly, Knight, Kroman, Larson, Leavens, Leavitt, Logan, Lowry, Mason, Merritt, Miller (Fergus), Moulton, Murphy, Nagle, Nelstead, Plank, Plumer, Prescott, Reed, Rognlien, Rorvik, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Woodcock, Mr. Speaker. Total—58.

Noes: Benjamin, Benson, Brown, Budas, Cavanaugh, Erickson, Harris, Holton, Jones (Phillips), Jones (Cascade), Knowles, Lamb, Lillis, McCleary, McLeod, Marshall, Miller (Lincoln), Mulholland, Nelson, Nicholson, O'Day, Rife, Rockwood, Sample, Tinsley, Warren, Westlake, White, Willard. Total—29.

Absent and not voting: Adair, Arnold, Besancon, Bretzke, Dellwo, Donaldson, Green (Fergus), Green (Dawson), Hagerty, Johnson, Moss, Ryder, Shields, Stambaugh, Waite. Total—15.

House Bill No. 307, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Rockwood, Rognlien, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—75.

Noes: Plumer, Prescott. Total—2.

Absent and not voting: Besancon, Bonine, Bretzke, Bricker, Chatham, Dellwo, Donaldson, Fulsher, Green (Fergus), Green (Dawson), Holton, Johnson, Jones (Phillips), Moss, Nagle, Reed, Rife, Rorvik, Ryder, Sample, Shields, Sparling, Tinsley, Waite, Willard. Total—25.

House Bill No. 70, introduced by Miller of Fergus, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Arnold, Ballard, Benjamin, Barry, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—80.

Noes: Abrahamson, Adair, Akofer, Mason, Plumer, Rorvik, Warren. Total—7.

Absent and not voting: Benson, Besancon, Bretzke, Bricker, Dellwo, Green (Dawson), Hodgskiss, Holton, Johnson, Jones (Phillips), Moss, Mulholland, Nagle, Ryder, Shields. Total—15.

House Bill No. 261, introduced by Leavitt, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—91.

Noes: None.

Absent and not voting: Besancon, Bretzke, Darlinton, Dellwo, Green (Dawson), Hodgskiss, Holton, Johnson, Moss, Ryder, Shields. Total—11.

House Bill No. 274, introduced by Committee on Livestock and Public Ranges, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Stambaugh, Steeves, Sutton, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: Prescott, Thorburn. Total—2.

Absent and not voting: Besancon, Bretzke, Bricker, Dellwo, Green (Dawson), Harris, Hodgskiss, Holton, Johnson, Logan, Moss, Mulholland, Ryder, Sparling. Total—14.

House Bill No. 296, introduced by Ryder, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—90.

Noes: None.

Absent and not voting: Adair, Besancon, Bretzke, Bricker, Dellwo, Green (Dawson), Hodgskiss, Jameson, Johnson, Merritt, Moss, Nelson. Total—12.

House Bill No. 163, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Gustafson, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Ryder, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—81.

Noes: Burns, Goodwin, Holton, Leavitt, Waite. Total—5.

Absent and not voting: Besancon, Bretzke, Clarke, Clausen, Dellwo, Green (Dawson), Hagerty, Johnson, Knight, McLeod, Moss, Nelstead, O'Day, Rorvik, Sample, Shields. Total—16.

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 198.

THORBURN, Vice-Chairman."

House Bill No. 263, introduced by Gustafson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bricker, Brown, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Dougherty, Dunn, Erickson, Flachsenhar, Fulsher, Goodwin, Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Lamb, Lillis, Logan, Lowry, McLeod, Marshall, Mason, Miller (Lincoln), Murphy, Nagle, Nelstead, O'Day, Rife, Rognlien, Steeves, Sutton, Throssel, Troy, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—61.

Noes: Budas, Cheadle, Green (Fergus), Green (Dawson), Jones (Phillips), Kroman, Leavitt, McCleary, Miller (Fergus), Moulton, Nelson, Nicholson, Plank, Plumer, Prescott, Rockwood, Rorvik, Sparling, Stambaugh, Thorburn, Tierney, Tinsley, Waite, Williard. Total—24.

Absent and not voting: Akofer, Besancon, Bretzke, Dellwo, Doran, Foot, Holton, Johnson, Larson, Leavens, Merritt, Moss, Mulholland, Reed, Ryder, Sample, Shields. Total—17.

House Bill No. 309, introduced by Committee on Appropriations, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Curran, Darlinton, Donaldson, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, White, Woodcock, Mr. Speaker. Total—85.

Noes: None.

Absent and not voting: Ballard, Bretzke, Clausen, Dellwo, Foot, Green (Dawson), Gustafson, Johnson, Knowles, Larson, Moss, Ryder, Sample, Shields, Waite, Willard, Westlake. Total—17.

House Bill No. 205, introduced by Jameson and Arnold, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Ballard, Benjamin, Barry, Besancon, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlinton, Donaldson, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Harris, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Lillis, Lowry, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Nagle, Nelson, Nelstead, Plank, Reed, Rife, Rockwood, Nicholson, Rognlien, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tinsley, Troy, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—72.

Noes: Abrahamson, Brown, Cooney, Green (Dawson), Hagerty, Hardcastle, Hodgskiss, Kroman, Leavitt, McCleary, Plumer, Prescott, Rorvik, Warren. Total—14.

Absent and not voting: Benson, Bonine, Bretzke, Dellwo, Foot, Holton, Johnson, Knowles, Logan, Moss, Murphy, O'Day, Ryder, Sample, Tierney, Waite. Total—16.

House Bill No. 257, introduced by Cooney, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Darlinton, Donaldson, Doran, Dougherty,

Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed Rife, Rockwood, Rognlien, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: Lamb. Total—1.

Absent and not voting: Bonine, Bretzke, Clausen, Curran, Dellwo, Hodgskiss, Jameson, Johnson, Knowles, Moss, Moulton, Rorvik, Ryder, Sample, Waite. Total—15.

House Bill No. 198, introduced by Green of Dawson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Curran, Darlinton, Donaldson, Dellwo, Doran, Dougherty, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—90.

Noes: None.

Absent and not voting: Bretzke, Clausen, Dunn, Johnson, Kelly, Knowles, Moss, Nagle, Ryder, Sample, Stambaugh, Waite. Total—12.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 251, introduced by Sample and Green of Dawson, respectfully report as follows: That House Bill No. 251 do not pass.
BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 2, introduced by Mears, respectfully report as follows: That Senate Bill No. 2 be not concurred in.
BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 57, by Hazelbaker, respectfully report as follows: That Senate Bill No. 57 be concurred in.
FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 111, by Smith, respectfully report as follows: That Senate Bill No. 111 be not concurred in.
FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 113, by Greenup, respectfully report as follows: That Senate Bill No. 113 be concurred in.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 114, by Greenup, respectfully report as follows: That Senate Bill No. 114 be concurred in.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Governor:

Helena, Montana, February 21, 1927.

"The Speaker, House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 10—Relating to liability of stockholders in State Banks.

H. B. No. 33—Requiring annual statements to be made showing financial condition of cities and towns.

H. B. No. 73—Relating to the fiscal years of cities and towns.

H. B. No. 76—Authorizing cities and towns to levy special tax for maintenance of volunteer fire departments.

H. B. No. 103—Authorizing the completion of a certain number of pictures for the State Law library.

H. B. No. 138—Relating to firing of shots in coal mines.

H. B. No. 139—Relating to increase of maximum distance between crosscuts in coal mines.

H. B. No. 143—Relating to abandoned horses running at large upon the open range.

H. B. No. 158—Relating to appointment, qualification and term of office of County Fair Commissioners.

H. B. No. 160—Appropriation for Livestock Sanitary Board for the coming biennium.

H. B. No. 166—Appropriation to pay compensation claim of William Goede.

H. B. No. 171—Relating to insurance upon lives of directors, officers, agents and employees of corporations.

H. B. No. 182—Appropriation for payment of claim of Conybeare, Church & Davidson for services in connection with extradition of Henry Cooch.

H. Res. No. 5—Authorizing appointment of a committee to assemble data concerning volume of business transacted in the various district courts of the State.

J. E. ERICKSON, Governor."

Moved by Bricker, duly seconded and carried, that the House recess until 4:45 P. M.. At 4:45 P. M. House resumed, pursuant to recess.

Mr. Speaker in the chair.

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Sub. for House Bills No. 190, 268, 90, 308, 228.

THORBURN, Vice-Chairman."

There being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

Substitute for House Bill No. 190, introduced by Committee on State Lands, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—91.

Noes: None.

Absent and not voting: Bretzke, Burns, Dellwo, Green (Dawson), Johnson, Larson, Moss, Nelson, Ryder, Sample, Shields. Total—11.

House Bill No. 90, introduced by Foot, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McLeod, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Shields, Sparling, Stambaugh, Thorburn, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Mr. Speaker. Total—80.

Noes: Cooney, Dougherty, Goodwin, Hagerty, Jensen, McCleary, Marshall, Mason, O'Day, Sutton, Thorburn, Tierney. Total—12.

Absent and not voting: Bretzke, Bricker, Brown, Dellwo, Green (Dawson), Johnson, Moss, Ryder, Sample, Steeves. Total—10.

House Bill No. 228, introduced by Barry and Ballard, by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Donaldson, Doran, Dunn, Fulsher, Goodwin, Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Leavens, Lillis, Logan, Lowry, McLeary, McLeod, Marshall, Mason, Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nelstead, O'Day, Prescott, Reed, Rife, Shields, Thorburn, Throssel, Tierney, Troy, Willard. Total—60.

Noes: Arnold, Benson, Cavanaugh, Curran, Darlington, Dougherty, Erickson, Foot, Flachsenhar, Green (Fergus), Green (Dawson), Holton, Kroman, Larson, Leavitt, Merritt, Miller (Fergus), Moulton, Nicholson, Plank, Plumer, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Tinsley, Waite, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—36.

Absent and not voting: Bretzke, Dellwo, Johnson, Knowles, Moss, Ryder. Total—6.

House Bill No. 268, introduced by Clausen, by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Chatham, Clarke, Clausen, Curran, Donaldson, Doran, Erickson, Foot, Fulsher, Goodwin, Gustafson, Hardcastle, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Kelly, Knight, Knowles, Lamb, Larson, Leavens, Lillis, Logan, Lowry, McLeod, Marshall, Mason, Merritt, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Reed, Rife, Rockwood, Rognlien, Shields, Stambaugh, Steeves, Sutton, Throssel, Tierney, Troy, Westlake, Willard, Woodcock, Mr. Speaker. Total—65.

Noes: Cavanaugh, Cheadle, Cooney, Dougherty, Flachsenhar, Gree (Fergus), Green (Dawson), Harris, Hodgskiss, Holton, Jones (Cascade), Leavitt, McCleary, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Nelson, Plumer, Prescott, Rorvik, Sample, Sparling, Thorburn, Tinsley, Waite, Warren, White. Total—28.

Absent and not voting: Bretzke, Darlinton, Dellwo, Dunn, Hagerty, Johnson, Kroman, Moss, Ryder. Total—9.

House Bill No. 308, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Dellwo, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Gree (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warrar, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—87.

Noes: Abrahamson. Total—1.

Absent and not voting: Bretzke, Darlinton, Donaldson, Holton, Johnson, Knowles, Kroman, Merritt, Moss, Nagle, Ryder, Shields, Stambaugh, Troy. Total—14.

Printing Committee reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 310 and 312 as correctly printed.

COONEY, Chairman."

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:00 A. M., Tuesday, February 22, 1927.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

FIFTY-FIRST DAY

House of Representatives,
Helena, Montana, February 22, 1927.

House convened pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

On roll call all members present except: Bretzke, excused; Johnson, excused; Nicholson, excused; Dunn, absent; Moss, absent; Stambaugh, absent.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fiftieth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlinton, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first and second times, by title and referred to the standing committees:

Senate Bill No. 17, by Wuerthner, Gilboe and Porter: "An Act providing for the submission to the qualified electors of the State of Montana, of an amendment to Section 4 of Article XVI of the Constitution of Montana, relating to county commissioners; providing for the division of counties into commissioners districts; providing for the election of one commissioner from each of said commissioners districts." Referred to Committee on Constitutional Amendments.

Senate Bill No. 63, by Pauline: A Bill for an Act entitled: "An Act providing for the preservation of the property belonging to the legislative department of the State of Montana and providing penalty for the removal or destruction of such property." Referred to Committee on State Institutions, Public Buildings and Grounds.

Senate Bill No. 85, by Kemmis: "An Act transferring the duty and responsibility of collections of all non-resident inheritance taxes, all gross earnings, taxes on freight lines and all license taxes which are determined by the Board of Equalization, from the State Treasurer to the Board of Equalization, and repealing all Acts and parts of Acts in conflict herewith." Referred to Revenue and Taxation Committee.

Senate Bill No. 99, by Cowan: "An Act to amend Sections 918 and 921 of the Revised Codes of Montana of 1921 as amended by Chapter 66 of the Session Acts of the Nineteenth Legislative Assembly of Montana, of 1925, relating to the control of the Northern Montana Agricultural and Manual Training School; creating an executive board for said institution and defining its powers and duties; authorizing the location of academic departments of said school at Havre, Montana; and repealing Section 4 of said Chapter 66, last aforesaid." Referred to Committee on Education.

Senate Bill No. 107, by Spencer, Church, Cowan, Hazelbaker, Gilboe, Servant, McCone, Brownlee, Johnson, Kennedy, Richardson: "An Act to amend Section 162 Revised Codes of Montana, 1921, as amended by Chapter 99, Laws Eighteenth Legislative Assembly, 1923, providing additional compensation for the State Auditor in recognition of the additional duties required of said State Auditor as Commissioner of Insurance Ex-Officio." Referred to Committee on State Boards and Officers.

Senate Bill No. 128, by Church: "An Act to permit Victoria Marceau, a dependent of Louis Coty, deceased, to file with the Industrial Accident Board of the State of Montana, a claim for compensation by reason of the death of said Louis Coty; said claim to be filed within thirty (30) days after the passage and approval of this bill, with the same force and effect as if it had been filed within the time required by law." Referred to Committee on Workman's Compensation.

Senate Bill No. 129, by Church: "An Act prescribing the salary of certain deputy State Officers of the State of Montana, and repealing all Acts and parts of Acts in conflict herewith." Referred to State Board and Officers Committee.

Senate Bill No. 130, by Committee on Privileges and Elections: "An Act to amend Chapter 98 of the Session Laws of 1923, providing for preparing and posting lists of such qualified electors as shall be entitled to vote on the proposition of incurring or increasing the indebtedness of a municipal or public corporation prescribing the duties of the county clerk and the duties of the clerk of such municipal or other public corporation." Referred to Committee on Privileges and Elections.

Senate Substitute for Senate Bill No. 54, by Committee on Roads and Highways: "An Act relating to the registration of motor vehicles, relating to the application for registration, defining the duties of County Treasurer and the Registrar of Motor Vehicles and providing a penalty for failure to make application for registration within a prescribed time." Referred to Highways Committee.

Senate Joint Resolution No. 10, by Wuerthner and Kane: Relating to publication of amendments to the Constitution of the State of Montana." Referred to Committee on Constitutional Amendments.

Senate Bill No. 58, by Wuerthner, McCabe and Delaney: "An Act to amend Section 1010 of the Revised Codes of Montana 1921, as amended by Chapter 70 of the Session Laws of the Eighteenth Legislative Assembly of 1923 and as further amended by Chapter 76 of the Session Laws of the Nineteenth Legislative Assembly of 1925 relating to transportation, board, rent, tuition of pupils of any school district or districts of the State of Montana and providing for furnishing rent and board for such pupils and providing for appeal." Referred to Committee on Education.

Senate Bill No. 87, by Pauline, Church, Walker, Shelver and Delaney: "An Act to amend Section 1760 of the Revised Codes of Montana, 1921, relating to the registration of motor vehicles and the disposition thereof, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Highways.

Senate Bill No. 89, by Dell: "An Act to amend Section 4482, Revised Codes of Montana, 1921, relating to contracts for county printing." Referred to Committee on Townships and Counties.

Senate Bill No. 92, by McCormick, Henderson, McCone, Dowlin, Pauline, Staggs, Sibbert, Greenup, Delaney, Green, McQuitty, Goodman, Cornington, Cowan, Johnson, John Campbell, Kemmis, H. C. Smith, Taylor: "An Act to amend Section 1783 of the Revised Codes of Montana of 1921, as amended by Chapter 129, Laws of the Nineteenth Legislative Assembly relating to State Highway Commission, creation salary bond, term, number of commissioners and districts of representation." Referred to Committee on Highways.

Senate Bill No. 93, by Ruffcorn: "An Act to amend Section 103 of the Revised Codes of Montana 1921, relating to the certification, entitling and numbering of initiative and referendum measures; the printing of same on the official ballot and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Privileges and Elections.

Senate Bill No. 96, by Committee on Irrigation and Water Rights: "An Act relating to the qualifications of commissioners of irrigation districts, and to amend Section 7170 of the Revised Codes of Montana of 1921, and Section 7177 of the Revised Codes of Montana of 1921, as amended by Chapter 157 of the Laws of the Eighteenth Legislative Assembly of the State of Montana." Referred to Committee on Irrigation and Water Rights.

Senate Bill No. 102, by Goodman, by request: "An Act to amend Section 2713 Revised Codes of Montana of 1921 and Section 2726 Revised Codes of Montana 1921, as amended by Chapter 140 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana of 1923 relating to the inspection of boilers." Referred to Committee on Workman's Compensation.

Senate Bill No. 109, by Survant: "An Act providing for the validation of tax sales and deeds heretofore or hereafter made, defining the rights of original owners of claimants of property or of any interest therein or lien thereon, and of persons (including counties who have acquired or attempted to acquire or may hereafter acquire or attempt to acquire title to property under any tax sales, or their successors; providing for the re-sale by the county of property acquired or attempted to be acquired by the county at tax sales and confirming sales of such property heretofore made or attempted to be made by counties, and providing a summary method whereby such purchasers at tax sales, or their successors

may have their respective rights adjudicated, and amending Sections 2214, 2215 and 2235 of the Revised Codes of 1921 of the State of Montana." Referred to Committee on Revenue and Taxation.

Senate Bill No. 117, by Porter: "An Act to amend Section 1859 of the Revised Codes of 1921 relating to the cancellation of the certificate of purchase of State Lands and providing for the re-purchase of said lands within fifteen months of the date such certificate is cancelled." Referred to Committee on State Lands.

Senate Bill No. 118, by Johnson, by request: "An Act authorizing the Commissioner of Agriculture to appoint an "Exposition Exhibits Committee" defining the duties of such committee; permitting such committee to solicit funds; and providing for the compensation of the members of such committee from funds so raised." Referred to Committee on Agriculture.

Senate Bill No. 125, by Swift: "An Act amending Sections 1051 and 971 of the Revised Codes of Montana, 1921, relating to the manner of taking the school census; defining residence for school census purposes; fixing compensation of the clerk and providing penalties for false and fraudulent reports; providing for examinations of such reports and for elimination of duplications of fictitious names and for notice of such action by the county superintendent of schools; providing for a duplicate copy to be filed with the Bureau of Labor and Industry and an alphabetical index, to be sent to the Superintendent of Public Instruction for the elimination of duplication of names between counties." Referred to Committee on Education.

Senate Bill No. 131, by Walker, by request: "An Act to amend Section 1743 of the Revised Codes of Montana of 1921, relating to traffic regulations." Referred to Committee on Highways.

Senate Bill No. 133, by Church: "An Act to amend Sections 537 and 538 of the Revised Codes of Montana, 1921, relating to the publication of questions submitted to popular vote." Referred to Committee on Judiciary.

Senate Bill No. 28, by Paul: "An Act to regulate and license manufacturers, dealers, distributors, purveyors and sellers of gasoline, kerosene, distillate, lubricating oil or grease, road oil, fuel oil and oil and grease for boilers, providing a license for the right to engage in said business within the State of Montana, and fixing fees therefor; requiring all such commodities to meet tests in this Act prescribed and provided; providing for the posting of notices of the grade and character of the commodity sold; providing for the inspection of such commodities when dangerous to life, and originating in points outside the State of Montana and shipped therein; permitting manufacturers, dealers and distributors the right to adopt and register a trade name and forbidding infringement thereof; recognizing that said commodities have become affected with a public interest and are devoted to a public use, and providing that the Public Service Commission of Montana may fix reasonable maximum prices for said commodities and prohibiting discrimination in the distribution thereof, and clothing said commission with powers to compel dealers in said commodities to meet representations and advertisements with respect thereto and to prescribe suitable and accurate meters and measuring devices for the sale thereof, fixing penalties for the enforcement of this Act, fixing penalties for the violation of this Act, and investing the Public Service Commission of Montana with the enforcement and administration thereof, and making thereto the provisions of law now existing relating to complaints before said commission, decisions thereby and appeals therefrom; and repealing Sections 4193, 4194, 4195, 4196, 4197, 4198, 4199, 4200, 4201, 4202, 4203, 4204, 4205, 4206, 4207, 4208, Revised Codes of Montana, 1921." Referred to Committee on Constitutional Amendments.

Senate Joint Memorial No. 4, by Griffin: "A memorial to the Senate of the United States protesting against the enactment of House Calendar No. 204, S. 481 (Report No. 911), commonly known as the 'Corn Sugar Bill.'" Referred to Committee on Federal Relations.

Senate Joint Resolution No. 8, by Pauline and Tower: "Relative to the appointment of a representative by the Governor who shall serve as a

representative of the State of Montana on a Joint Commission composed of one representative from each of the states, Montana, Idaho, Washington and Oregon relative to the apportionment of the waters of Flathead River and Lake." Referred to Committee on Federal Relations.

Substitute for Senate Concurrent Resolution No. 9, by Committee on Taxation: "A concurrent resolution memorializing the Congress of the United States not to abolish the Federal Estate Tax." Referred to Committee on Revenue and Taxation.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communication from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 21, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate bills were this day read three several times title and history agreed to, passed, and are herewith transmitted to the House for concurrence:

Sub. for S. B. No. 54 by Committee on Roads and Highways.

S. B. No. 58; S. B. No. 87; S. B. No. 89; S. B. No. 92; S. B. No. 93; S. B. No. 96; S. B. No. 102; S. B. No. 109; Sub. S. B. No. 111; Sub. S. B. No. 118; S. B. No. 125; S. B. No. 131; S. B. No. 133; J. M. No. 4; S. J. R. No. 8; Sub. for S. Concurrent Res. No. 9.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 21, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 28, introduced by Paul, was, on February 19, read three several times, title and history agreed to, and is herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 21, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the standing committees have this day reported as follows: Report adopted.

Committee on Irrigation and Water Rights report that S. B. No. 9 do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 21, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report as follows: Report adopted. Afternoon Session.

That S. B. No. 93 do pass.

That S. B. No. 102 do pass.

That Sen. Sub. for S. B. No. 117 do pass.

That Senate Substitute for S. B. No. 118 be amended in the title read as follows: "An Act authorizing the Commissioner of Agriculture to appoint an 'Exposition Exhibits Committee', defining the duties and powers of such committee; permitting such committee to solicit funds; and providing for the compensation of the members of the committee not otherwise provided for from funds so raised and providing for the deposit and disbursement of such funds."

Amend in Section 1 by inserting in line 3 after the words "Chief of the words "Labor and", and, as amended, it do pass.

That S. B. No. 125 do pass.

That S. B. No. 133 do pass.

That S. B. No. 86 do not pass.

That S. B. No. 131 be amended by adding:

Section 5. "This Act shall be in full force and effect from and after passage and approval", and, as amended, it do pass.

That S. J. Memorial No. 4 do pass.

That S. J. R. No. 8 do pass.

That Sen. Sub. for S. Concurrent Resolution No. 9 do pass.

That S. B. No. 96 be amended in Section No. 1 by adding to line 5 "Provided, however, that a majority of said Board of Commissioners shall be resident of the County in which the division of the district, or some portion thereof, is situated."

Amend in Section 2 by adding to line 8: "Provided, however, that a majority of said Board of Commissioners shall be resident of the county in which the division of the district, or some portion thereof, is situated", and, as amended, it do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 21, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows: Report adopted. Afternoon Session.

That S. B. No. 89 be amended in Section 1 by adding after the word "printing" in line 15 of the printed bill the following: "and the furnishing of blanks, blank books, stationery, election supplies, loose-leaf forms and devices".

Amend in Section 1 by striking out in line 190 the word "when", and the word "are" and inserting in lieu thereof the words "shall be", and after the word "for" the word "and", and

Amend in line 192 after "years" the period and add "and the contract all be let to the qualified paper submitting the lowest bid", and, as amended, it do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 21, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Committee of the Whole, having had under consideration business on General File, report as follows: Morning Session.

That S. B. No. 87 be amended in the title by inserting after "1921" the following "as amended by Chapter 107 of the Eighteenth Legislative Assembly."

Amend Section 1 by adding a line below line 17 in the printed bill to read "Trucks not over ½ ton capacity \$7.50."

Amend in Section 1 by striking out in line 26 after the word "Paid" the word "to" and all of line 27 and that part of line 28 including the word "Co," and inserting in lieu thereof the words "equally among each of the counties of the State, or deposit to the credit of the General Road Fund of said Counties", and that, as so amended, the bill do pass.

That S. B. No. 79 do not pass.

That S. B. No. 132 be amended by striking out Sections 5 and 6, and, as amended, it do pass.

That Senate Sub. for S. B. No. 91 do not pass.

That S. B. No. 109 be amended in Section 3 by inserting in line 55 after the word "purpose" the word "Bears" so that line 55 will read as follows: "accrued against such property for each such fund or purpose bears to the aggregate amount of", and, as amended, it do pass.

That S. B. No. 80 do pass.

That S. Sub. for S. B. No. 54 be amended in Section 1 by adding a paragraph 2 a paragraph to be numbered 3, to read as follows: "and other information relating to taxation as may be required by the S. Board of Equalization", and, as amended, it do pass.

That S. B. No. 89 be amended in Section 1 by inserting in line 1 the printed bill after the word printing, the following: "and furnish blanks, blank-books, stationery, election supplies, loose-leaf forms and vices", and, as amended, it do pass.

Respectfully,

J. F. CONE, Secretary of Senate."

THIRD READING OF HOUSE BILLS

Senate Bill No. 24, introduced by Survant and Wuerthner, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Adair, Akofer, Arnold Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Green (Fergus), Green (Dawson), Gustafson, Harris, Hodgskiss, Holton, Jensen, Jones (Phillips), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Larson, Leavens, Lillis, Logan, Lowry, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Wood. Speaker. Total—84.

Noes: Abrahamson, Goodwin, Hardcastle, Leavitt, McCleary. Total—4.

Absent and not voting: Bretzke, Clarke, Dunn, Fulsher, Hagerty, Jameson, Johnson, Jones (Ravalli), Lamb, Moss, Nicholson, Stambaugh, Steeves. Total—13.

Senate Bill No. 29, introduced by Greenup, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Barry, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Cooney, Dellwo, Doran, Foot, Goodwin, Green (Fergus), Green (Dawson), Hagerty, Hardcastle, Harris, Hodgskiss, Jensen, Jones (Cascade), Kelly, Knight, Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McLeod, Merritt, Miller (Fergus), Moulton, Mulholland, Murphy, Nagle, Nelson, O'Day, Plank, Plumer, Reed, Rife, Rockwood, Rorvik, Shields, Sparling, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Woodcock, Mr. Speaker. Total—62.

Noes: Benson, Besancon, Bonine, Clausen, Curran, Donaldson, Dougherty, Erickson, Flachsenhar, Holton, McCleary, Marshall, McLeod (Lincoln), Prescott, Rognlien, Steeves, Sutton, Tinsley, Westlake, Willard. Total—20.

Absent and not voting: Benjamin, Bretzke, Clarke, Darlington, Dunn, Fulsher, Gustafson, Jameson, Johnson, Jones (Phillips), Jones (Ravalli), Kroman, Mason, Moss, Nelstead, Nicholson, Ryder, Sample, Stambaugh, White. Total—20.

Senate Bill No. 35, introduced by Church, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Clausen, Cheadle, Cooney, Curran, Dellwo, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jensen, Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis.

g, Lowry, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, O'Day, Plank, R, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, S, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—84.

Noes: Abrahamson, McCleary. Total—2.

Absent and not voting: Adair, Bretzke, Clarke, Darlinton, Dunn, Ful-Jameson, Johnson, Jones (Phillips), Jones (Ravalli), Moss, Nelstead, Nelson, Reed, Stambaugh, Willard. Total—16.

Senate Bill No. 37, introduced by Corrington and Schnitzler, having been read three several times, title and history agreed to, was concurred in the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clausen, Cooney, Curran, Dellwo, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, O'Day, Plank, Plumer, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—85.

Noes: Prescott. Total—1.

Absent and not voting: Barry, Bretzke, Clarke, Darlinton, Dunn, Ful-Jameson, Goodwin, Johnson, Lillis, Moss, Moulton, Nelstead, Nicholson, Reed, Stambaugh. Total—16.

Senate Bill No. 38, introduced by Donovan, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Barry, Bonine, Bricker, Brown, Burke, Burns, Cavanaugh, Chatham, Cheadle, Cooney, Curran, Darlinton, Dellwo, Donaldson, Doran, Dougherty, Flachsenhar, Goodwin, Gustafson, Hagerty, Hardcastle, Harris, Holton, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McLeod, Mason, Merritt, Moulton, Mulholland, Murphy, Nagle, O'Day, Plank, Plumer, Reed, Rife, Ryder, Shields, Thorburn, Throssel, Tierney, Troy, Waite, White, Willard, Woodcock, Mr. Speaker. Total—65.

Noes: Benson, Besancon, Budas, Clausen, Erickson, Foot, Green (Fergus), Green (Dawson), Hodgskiss, Jones (Phillips), Knowles, McCleary, Marshall, Miller (Fergus), Miller (Lincoln), Nelson, Prescott, Rockwood, Rognlien, Rorvik, Sample, Sparling, Steeves, Sutton, Tinsley, Warren, Westlake. Total—27.

Absent and not voting: Bretzke, Clarke, Dunn, Fulsher, Jameson, Johnson, Moss, Nelstead, Nicholson, Stambaugh. Total—10.

Senate Bill No. 45, introduced by Committee on Livestock and Grazing, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clausen, Cooney, Curran, Darlinton, Dellwo, Donaldson, Dougherty, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Logan, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nelson, O'Day, Plank, Plumer, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Steeves, Sutton, Thor-

burn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, Willard, Mr. Speaker. Total—85.

Noes: None.

Absent and not voting: Bretzke, Clarke, Doran, Dunn, Fulsher, Ha Johnson, Lillis, Lowry, Merritt, Moss, Mulholland, Nelstead, Nichols Prescott, Stambaugh, Woodcock. Total—17.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now solve itself into Committee of the Whole for consideration of General Orders, under the same rules as yesterday.

Mrs. Curran in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

“Mr. Speaker: We, your Committee of the Whole, having had under consideration, Senate Amendments to House Bill No. 156 and House Bill No. 184, Senate Sub. for House Bill No. 22, Senate Bill No. 68, Senate Substitute for House Bill No. 22, respectfully report as follows:

That Senate Amendments to House Bill No. 156 be concurred in.

That Senate Amendments to House Bill No. 184 be concurred in.

That consideration of Senate Sub. for House Bill No. 22 be passed at the time.

That Senate Bill No. 68 be concurred in.

That Senate Substitute for House Bill No. 22 be concurred in.

CURRAN, Chairman.”

On motion of Curran, report adopted.

Moved by Bricker, duly seconded and carried, that out of the members of George Washington, the House adjourn until 10:00 A. M. Wednesday, February 23, 1927.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

FIFTY-SECOND DAY

House of Representatives,
Helena, Montana, February, 23, 1927.

House convened, pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call, all members present except: Bretzke, excused; Stambaugh, absent; Thorburn, absent.

Journal Committee reported as follows:

“Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifty-first legislative day, find the same to be correct.

G. W. DARLINTON, Chairman.”

On motion of Darlinton, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 22, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable that the following House bills were this day introduced, read first and second times and referred to the standing committees:

- H. B. No. 201—Irrigation and Water Rights Committee.
- H. B. No. 205—Finance and Claims Committee.
- H. B. No. 214—Printing Committee.
- H. B. No. 226—Counties and Towns Committee.
- H. B. No. 228—Roads and Highways Committee.
- H. B. No. 235—Judiciary Committee.
- H. B. No. 239—Judiciary Committee.
- H. B. No. 242—Fairs and Expositions Committee.
- H. B. No. 243—Judiciary Committee.
- H. B. No. 253—Taxation Committee.
- H. B. No. 254—Taxation Committee.
- H. B. No. 257—Charities and Reforms Committee.
- H. B. No. 260—Finance and Claims Committee.
- H. B. No. 261—Taxation Committee.
- H. B. No. 262—Sanitary Affairs Committee.
- H. B. No. 263—Agriculture Committee.
- H. B. No. 264—Finance and Claims Committee.
- H. B. No. 267—Fairs and Expositions Committee.
- H. B. No. 268—Counties and Towns Committee.
- H. B. No. 269—Finance and Claims Committee.
- H. B. No. 274—Counties and Towns Committee.
- H. B. No. 283—Finance and Claims Committee.
- H. B. No. 284—Judicial Districts Committee.
- H. B. No. 285—Fish and Game Committee.
- H. B. No. 287—Judiciary Committee.
- H. B. No. 296—Judiciary Committee.
- H. B. No. 305—Finance and Claims Committee.
- H. B. No. 306—Finance and Claims Committee.
- H. B. No. 307—Finance and Claims Committee.
- H. B. No. 308—Finance and Claims Committee.
- H. B. No. 309—Finance and Claims Committee.
- H. B. No. 311—Finance and Claims Committee.
- H. B. No. 312—Finance and Claims Committee.
- H. B. No. 10—Railroads and Transportation Committee.
- H. B. No. 70—Taxation Committee.
- H. B. No. 90—Finance and Claims Committee.
- H. B. No. 98—Judiciary Committee.
- H. B. No. 125—Taxation Committee.
- H. B. No. 136—Finance and Claims Committee.
- H. B. No. 163—Finance and Claims Committee.
- H. B. No. 172—Roads and Highways Committee.
- Sub. H. B. No. 190—Public Lands Committee.
- H. B. No. 193—Banks and Banking Committee.
- H. B. No. 198—Constitutional Amendments Committee.
- H. B. No. 186—Public Lands Committee.
- H. J. Res. No. 9—Public Morals Committee.
- H. B. No. 16—Judiciary Committee.
- H. B. No. 106—Counties and Towns Committee.
- H. B. No. 147—Taxation Committee.
- Sub. for H. B. No. 227—Judiciary Committee.
- H. B. No. 238—Finance and Claims Committee.
- H. B. No. 255—Judiciary Committee.
- H. B. No. 256—Federal Relations Committee.
- H. B. No. 265—Finance and Claims Committee.
- H. B. No. 301—Finance and Claims Committee.
- H. B. No. 302—Finance and Claims Committee.
- H. B. No. 180—Privileges and Elections Committee.
- H. B. No. 193—Sanitary Affairs Committee.
- H. B. No. 195—Privileges and Elections Committee.

H. B. No. 219—Education Committee.
 H. B. No. 232—Privileges and Elections Committee.
 H. B. No. 244—Education Committee.
 H. B. No. 252—Mines and Mining Committee.
 H. B. No. 271—Counties and Towns Committee.
 H. B. No. 288—Judiciary Committee.
 H. B. No. 289—Judiciary Committee.
 H. B. No. 291—Judiciary Committee.
 H. B. No. 298—Judiciary Committee.
 H. B. No. 304—Finance and Claims Committee.
 Sub. for H. B. No. 49 and 59—Taxation Committee.
 H. J. R. No. 8—Judiciary Committee.
 H. B. No. 113—Education Committee.
 H. B. No. 178—Military Affairs Committee.
 H. B. No. 208—Counties and Towns Committee.
 H. B. No. 212—Dairies and Dairying Committee.
 H. B. No. 220—Finance and Claims Committee.
 H. B. No. 221—Taxation Committee.
 H. B. No. 222—Taxation Committee.
 H. B. No. 224—Taxation Committee.
 H. B. No. 259—Public Lands Committee.
 H. B. No. 281—Judiciary Committee.
 H. B. No. 241—Counties and Towns Committee.

Respectfully,

J. F. CONE, Secretary of Senate

Helena, Montana, February 22, 192

"Mr. Speaker: I am directed by the Senate to inform your Hon-
 Body that the Committee on Banks and Banking, having had under
 sideration House Bill No. 4 report and recommend that same be am-
 amendments attached, and as amended, same be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate

"AMENDMENTS TO HOUSE BILL NO. 4."

Page 4, line 8: Strike out word "subordinate."

Page 6, line 13: Strike out word "other".

Page 8, line 10: Strike out word "subordinate".

Page 8, line 26: Strike out the words "the legal rates of interest" substitute the words "Ten (10) per centum".

Page 9, line 18: Substitute a period for the semi-colon after
 word "stock". Beginning with the word "provided" strike out the
 mainder of the paragraph and substitute the following sentence: "Ap-
 plications for withdrawals are to be registered on the books of the as-
 sociation in the order received and after outstanding contracts have been pro-
 vided for, at least one-half of the collection made by the association must
 be used for the payment of the withdrawals in the order received; pro-
 vided, however, that if applications for withdrawal are six months or
 collections must be used for payment."

Page 10, line 12: Strike out the word "three" and substitute the word
 "five".

Page 10, line 26: Strike out Subdivision 13, Section 12 and substitute
 the following: "To make loans to members on the security of the stock
 of the association, and also on their notes secured by first mortgage on
 improved real estate, including suburban homes, but not on farm land
 or mining property for not to exceed sixty-five per centum of the appraised
 value of such real estate, and upon such terms and conditions as may be
 provided in the constitution and by-laws; provided, however, that in
 cases where the promissory note, or other written evidence of the loan
 made by any building and loan association requires the payment of the
 loan, or the total aggregate sum of principal and interest on the
 periodic installments, said promissory note, or other written evidence

of debt shall specifically state the actual interest rate charged borrower upon the unpaid balance of the principal amount at each periodic payment; provided, further, that when the note or other evidence of debt does not require the payment of said loan in periodic installments, the note or other evidence of debt shall specifically state the rate of interest to be charged the borrower.

provided, however, that in all notes and mortgages now in force which do not specify the actual rate of interest charged the borrower upon the unpaid balance of the principal at each periodic payment, all payments on the said notes must be distributed by crediting the same, first, the interest on the unpaid balance of the loan at the rate actually provided under the terms of the notes and mortgages, and the remainder of the principal of the loan, and no charges or deductions from any of the periodic payments shall be permitted by any such association not specifically provided for in said promissory note or other evidence of such

Page 12, line 4: After the word "interest", insert the words "premium interest for delinquent payments".

Page 12, line 5: After the word "less" insert the words "payments on principal".

Page 12, lines 6 and 7: Strike out the sentence "He shall pay, also, fines or other assessments required by the constitution and by-laws."

Page 26, line 1: In the caption strike out the words "Trust Deposits" and substitute the word "Trusts".

Page 26, line 9: In the caption strike out the word "Deposit" and substitute the words "Shares Held".

Page 14, line 23: After the word "soliciting" insert the words "loans or". After the word "stock" strike out the words "or loans".

Page 14, line 25: After the word "solicit" insert the word "loans". After the first "and" insert the character and word "or". After the word "bank" strike out the words "or loans".

Page 14, line 27: After the word "solicit" insert the words "loans or".

Page 14, line 28: After the word "stock" strike out the words "or loans".

Page 15, line 9: After the first "the" insert the words "solicitation and or the".

Page 18, line 26: Strike out the word "or" and substitute the word "and".

Page 26, lines 30 and 31: After the word "account" strike out the words "and no such association shall receive any savings account".

Page 26, line 31: After the word "or" insert the word "receive".

Page 6, line 16: Add to this section the following sentence: "Meetings of the Board of Directors must be held at least once each month."
"Strike out all of Section 27".

THIRD READING OF SENATE BILLS

Senate Substitute for House Bill No. 22, introduced by Judiciary Committee, having been read three several times, title and history agreed to, concurred in by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Benson, Bonine, Bricker, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Curran, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Heastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Ellips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mur-nagle, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed,

Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Steeves, Sutton, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Adair, Barry, Bretzke, Brown, Chatham, Cooney, Dellwo, Fulsher, Hagerty, Kroman, Moss, Mulholland, O'Day, Sample, Shields, Stambaugh, Thorburn, Troy. Total—18.

Senate Bill No. 68, introduced by Kemmis, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knows, Lamb, Larson, Leavitt, Lillis, Logan, Lowry, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Steeves, Sutton, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: Abrahamson. Total—1.

Absent and not voting: Adair, Bretzke, Clausen, Cooney, Dellwo, Fulsher, Goodwin, Kroman, Leavens, McLeod, Moss, Nagle, Stambaugh, Thorburn, Troy. Total—15.

Senate amendments to House Bill No. 156, having been read three several times, were concurred in by the following vote:

Ayes: Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knows, Lamb, Larson, Leavitt, Lillis, Logan, Lowry, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Steeves, Sutton, Throssel, Tierney, Tinsley, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—83.

Noes: Abrahamson, McCleary, Willard. Total—3.

Absent and not voting: Bretzke, Dellwo, Doran, Fulsher, Hardcastle, Jones (Phillips), Kroman, Leavens, Moss, Reed, Sample, Shields, Stambaugh, Thorburn, Troy, Waite. Total—16.

Senate amendments to House Bill No. 184, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bricker, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knows, Lamb, Larson, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Steeves, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Besancon, Bretzke, Brown, Burns, Curran, Elwo, Fulsher, Goodwin, Hagerty, Kroman, Leavens, Moss, Stambaugh, Ston, Thorburn, Troy. Total—16.

Printing Committee reported as follows:

"Mr. Speaker: We, your Committee on Printing, respectfully report House Bills Nos. 311 and House Resolution No. 5, by Sample, as correctly printed.

WHITE, Vice-Chairman."

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under same rules adopted yesterday when considering General Orders.

Mr. Jameson in the Chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bills Nos. 84, 48, 69, 75, Substitute for Senate Bill No. 32, Senate Joint Memorial No. 1, Senate Joint Memorial No. 3, Senate Joint Resolution No. 6, Senate Joint Resolution No. 7, Senate Bills Nos. 71, 76, 105, respectfully report as follows:

That consideration of Senate Bill No. 84 be passed for the time.

That Senate Bill No. 48 be concurred in.

That Senate Bill No. 69 be concurred in.

That consideration of Senate Bill No. 75 be passed for the time.

That Substitute for Senate Bill No. 32 be concurred in.

That Senate Joint Memorial No. 1 be concurred in.

That Senate Joint Memorial No. 3 be concurred in.

That Senate Joint Resolution No. 6 be amended as follows:

Section 1: By striking out in line 2 of the printed bill the words and figures "Swing-Johnson Bill No. 8821" and inserting in lieu thereof the words and figures "Wheeler Bill S. 5498"; also by striking out in line 14 the words "Swing-Johnson" and inserting in lieu thereof the word "Wheeler", and that as so amended, said resolution be concurred in.

That Senate Joint Resolution No. 7 be concurred in.

That Senate Bill No. 67 be concurred in.

That Senate Bill No. 71 be amended as follows:

Section 1: By inserting after the word "after" in line 16 of printed bill, the words "knowledge that"; also by striking out in lines 18, 19 and 20 all words after the word "trespass", in line 18 of the printed bill.

And that as so amended said bill be concurred in.

That Senate Bill No. 76 be concurred in.

That Senate Bill No. 105 be concurred in.

That Senate Bill No. 75 be amended as follows:

Section 1: By inserting in line 3 of the printed bill, the following: at the beginning of the line: "Section 1".

And that as so amended said bill be concurred in.

That Senate Bill No. 84 be amended as follows:

Section 1: By striking out in line 19 of printed bill the words and figures "Ten Thousand Dollars (\$10,000)" and inserting in lieu thereof the words and figures "Twenty-five Hundred Dollars (\$2500.00)"; also by striking out in line 26 the words and figures "Twenty-five Hundred

Dollars (\$2500.00)" and inserting in lieu thereof the words and figure "One Thousand Dollars (\$1000.00)", and that as so amended said bill be concurred in.

JAMESON, Chairman."

On motion of Jameson, report adopted.

Moved by Bricker, duly seconded and carried, that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

The Speaker gave notice that he was about to sign Senate Bill No. 3 and thereupon signed the same.

At the request of Johnson, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Johnson of Valley, duly seconded and carried, that the House suspend the rules for introduction of memorials for the purpose of introducing a memorial to the State of Minnesota. Upon the following roll call the Speaker referred the motion to the Committee on Rules, said committee to report back to the House within 24 hours:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Darlington, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Gustafson, Hagerty, Hardcastle, Hodgskiss, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Kelly, Lamb, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock. Mr. Speaker. Total—77.

Noes: Cooney, Green (Fergus), Larson. Total—3.

Absent and not voting: Bretzke, Bricker, Curran, Dellwo, Donaldson, Doran, Fulsher, Green (Dawson), Harris, Holton, Jameson, Jones (Cascade), Knight, Knowles, Kroman, Merritt, Moss, Moulton, Nagle, Ryden, Sample, Stambaugh. Total—22.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Moved by Bricker, duly seconded and carried, that the communication from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 23, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorability that the following House bills were this day read three several times and concurred in, title and history agreed to, and same are herewith returned to the House:

H. B. No. 179, by Appropriations Committee.

H. B. No. 127, by Sample.

H. J. R. No. 4, by Besancon and Moss.

H. B. No. 84, by Besancon.

H. B. No. 77, by Arnold.

H. B. No. 204, by Burns, Rockwood, Moss and Foot.

H. B. No. 145, by Bricker.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 23, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 159, introduced by Fish and Game Committee, was this day considered in the Committee of the Whole and recommended for non-concurrence. Report adopted and bill is herewith returned to the House.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 23, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees have this day reported as follows: Reports adopted. Morning Session.

Committee on Finance and Claims report that H. B. No. 165 be amended as follows:

Amend by striking out Section 3 and substituting in lieu thereof the following, to be known as Section 3.

"Section 3. That the State Board of Examiners shall investigate and determine the advisability of purchasing the above described lots, and if, in the judgment of said Board of Examiners, it is advisable to purchase said lots, then the appropriation provided for in Section 2 of this Act shall be available for said purpose, provided first that the Attorney General of the State of Montana shall have approved the title to said lots in writing, and further provided, that the owners of said lots shall have tendered a good and sufficient deed to the State of Montana conveying the above described property to the State of Montana, which said deed shall first be approved by the Attorney General of the State of Montana before the said deed shall be delivered to the said Board of Examiners for the State of Montana and before the said money above appropriated shall be paid over to the said owners of the lots above described", and, as amended, it be returned to the Senate without recommendation.

Committee on Finance and Claims report that H. B. No. 179 be concurred in.

Committee on Counties and Towns report that H. B. No. 241 be concurred in.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 23, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows: Report adopted. Morning Session.

That H. J. R. No. 4 be concurred in.

That H. B. No. 84 be concurred in.

That H. B. No. 127 be concurred in.

That H. B. No. 77 be concurred in.

That H. B. No. 124 be amended in the title by adding the following at the end thereof:

"Regulating the operation of said plant and appropriating money to carry out the provisions of this Act."

Amend Section 1, in line 2. by striking out the word "any" and inserting in lieu thereof the words "the" and striking out after the word "moneys" in line 2, the words "in the automobile license fee fund not otherwise appropriated", and inserting in lieu thereof the words "received from automobile license fees."

Amend Section 1 by adding the following at the end of the section: "The sums hereby appropriated shall be deducted from the fund received by the Registrar of Motor Vehicles for automobile licenses before any distribution of such funds shall be made to the several counties."

Amend in Section 7 by striking out in line 2 of Section 7 the words "credited to" Automobile License Fee Fund", and inserting in lieu thereof

the words "distributed in the same manner as automobile license fees are distributed", and, as amended the bill be concurred in.

That consideration of H. B. No. 81 be passed.

That H. B. No. 107 be amended in Section 1 by striking out in line 23, page 2, the words "tenth and", and, as so amended, the same be concurred in.

That H. B. No. 159 be amended by striking out the enacting clause.

That H. B. No. 67 be concurred in.

That H. B. No. 145 be concurred in.

That H. B. No. 177 be amended in Section 1 by adding in line 21 after the word "and" the words "Such several Counties", and, as amended, the same be concurred in.

That H. B. No. 204 be concurred in.

That H. B. No. 165 be concurred in.

That consideration of H. B. No. 241 be passed.

That H. B. No. 179 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 23, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 67, introduced by Appropriations Committee, was this day read three several times, concurred in as amended, title agreed to, and is herewith transmitted to the House for concurrence in Senate amendments.

Committee on Finance and Claims amendment: That H. B. No. 67 be amended as follows: Amend by striking out the words and figures "\$2618.00" and inserting in lieu thereof "\$2380.00".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 23, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 124, by Stambaugh, was this day read three several times, concurred in as amended, title agreed to, and is herewith transmitted to the House for concurrence in Senate amendments:

Committee of the Whole amendments:

Amend the title by adding the following at the end thereof: "Regulating the operation of said plant and appropriating money to carry out the provisions of this Act."

Amend Section 1, in line 2, by striking out the word "any" and inserting in lieu thereof the words "the" and striking out after the word "moneys" in line 2, the words "in the automobile license fee fund not otherwise appropriated" and inserting in lieu thereof the words "received from automobile license fees."

Amend Section 1 by adding the following at the end of the section "The sums hereby appropriated shall be deducted from the fund received by the Registrar of Motor Vehicles for automobile licenses before any distribution of such funds shall be made to the several counties."

Amend in Section 7 by striking out in line 2 of Section 7 the word "credited to Automobile License Fee Fund" and inserting in lieu thereof the words "distributed in the same manner as automobile license fees are distributed".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 23, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 165, by Appropriations Committee, was this day read three several times, concurred in as amended, title agreed to, and is herewith transmitted to the House for concurrence in Senate amendments:

Committee on Finance and Claims amendment:

Amend by striking out Section 3 and substituting in lieu thereof the following, to be known as Section 3:

"Section 3. That the State Board of Examiners shall investigate and determine the advisability of purchasing the above described lots, and if, in the judgment of said Board of Examiners, it is advisable to purchase said lots, then the appropriation provided for in Section 2 of this Act shall be available for said purpose, provided first that the Attorney General of the State of Montana shall have approved the title to said lots in writing, and further provided, that the owners of said lots shall have tendered a good and sufficient deed to the State of Montana conveying the above described property to the State of Montana, which said deed shall first be approved by the Attorney General of the State of Montana before the said deed shall be delivered to the said Board of Examiners for the State of Montana and before the said money above appropriated shall be paid over to the said owners of the lots above described."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 23, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 177 was this day read three several times, concurred in as amended, title agreed to, and is herewith transmitted to the House for concurrence in Senate amendments:

Committee of the Whole amendment: That H. B. No. 177 be amended in Section 1, by adding in line 21 after the word "and" the words "Such several Counties."

Respectfully,

J. F. CONE, Secretary of Senate."

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration Senate Bill No. 63, by Pauline, respectfully report as follows: That Senate Bill No. 63 be concurred in.

ARNOLD, Chairman."

On motion of Arnold, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 206, introduced by Budas, respectfully report as follows: That House Bill No. 206 do not pass.

BRICKER, Chairman."

On motion of Bricker, report adopted.

There being no objections, House reverted to Order of Business No. 8.

THIRD READING OF SENATE BILLS

Substitute for Senate Bill No. 32, introduced by Committee on Irrigation and Water Rights, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—85.

Noes: None.

Absent and not voting: Benjamin, Bretzke, Bricker, Curran, Dellwo, Fulsher, Green (Dawson), Harris, Jones (Phillips), Jones (Ravalli), Knowle Kroman, Moss, Reed, Rognlien, Ryder, Troy. Total—17.

Senate Bill No. 48, introduced by Pauline, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson Barry, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Donaldson, Doran Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton Mulholland, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White Willard, Woodcock, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Adair, Bretzke, Bricker, Curran, Dellwo, Fulsher, Green (Dawson), Harris, Jones (Ravalli), Knowles, Kroman, Moss, Murphy, Nelson, Ryder, Shields, Stambaugh, Troy. Total—18.

Senate Bill No. 67, introduced by Wuerthner, by request, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Arnold, Ballard, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Flachsenhar, Donaldson, Doran, Dunn, Erickson, Foot, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: Dougherty, Hagerty, Lamb. Total—3.

Absent and not voting: Abrahamson, Adair, Benjamin, Bretzke, Bricker, Curran, Dellwo, Harris, Knowles, Kroman, Moss, Ryder, Shields, Stambaugh, Troy. Total—15.

Senate Bill No. 69, introduced by Committee on Irrigation and Water Rights, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—87.

Noes: None.

Absent and not voting: Bretzke, Bricker, Clausen, Curran, Dellwo, Green (Dawson), Harris, Jensen, Knowles, Kroman, Leavens, Moss, Stambaugh, Troy, White. Total—15.

Senate Bill No. 71, introduced by Sibbert, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Fulsher, Green (Fergus), Gustafson, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Leavens, Lillis, Logan, Lowry, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Sample, Sutton, Thorburn, Throssel, Tierney, Waite, Warren, Westlake, White, Willard, Mr. Speaker. Total—73.

Noes: Abrahamson, Burns, Clausen, Flachsenhar, Goodwin, Larson, Leavitt, McCleary, Miller (Lincoln), Nelson, Rorvik, Sparling, Steeves, Tinsley, Woodcock. Total—15.

Absent and not voting: Besancon, Bretzke, Curran, Dellwo, Green (Dawson), Hagerty, Harris, Knowles, Kroman, Moss, Ryder, Shields, Stambaugh, Troy. Total—14.

Senate Bill No. 75, introduced by Committee on Horticulture, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—85.

Noes: None.

Absent and not voting: Bonine, Bretzke, Curran, Dellwo, Foot, Green (Dawson), Harris, Jameson, Kelly, Knowles, Kroman, Moss, Ryder, Shields, Stambaugh, Troy, Waite. Total—17.

Senate Bill No. 76, introduced by Judiciary Committee, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Knight, Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—87.

Noes: None.

Absent and not voting: Bretzke, Cheadle, Curran, Dellwo, Green (Dawson), Harris, Johnson, Jones (Phillips), Kelly, Kroman, Moss, Ryder, Shields, Stambaugh, Troy. Total—15.

Senate Bill No. 84, introduced by Larson, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rockwood, Rognlien, Rorvik, Sample, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: Abrahamson. Total—1.

Absent and not voting: Besancon, Bretzke, Curran, Dellwo, Green (Fergus), Green (Dawson), Johnson, Jones (Phillips), Knowles, Kroman, Merritt, Moss, Moulton, Rife, Ryder, Shields, Stambaugh, Troy. Total—18.

Senate Bill No. 105, introduced by McCone, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Cooney, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Shields, Sparling, Steeves, Sutton, Thorburn, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Arnold, Bretzke, Clarke, Clausen, Curran, Dellwo, Green (Dawson), Knowles, Kroman, Moss, Moulton, Ryder, Sample, Stambaugh, Throssel, Troy. Total—16.

Senate Joint Memorial No. 1, introduced by Richardson, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rockwood, Rognlien, Rorvik, Shields, Sparling, Steeves, Sutton, Throssel, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—85.

Noes: None.

Absent and not voting: Bretzke, Cavanaugh, Curran, Dellwo, Green (Dawson), Johnson, Knowles, Kroman, Moss, Moulton, Rife, Ryder, Sample, Stambaugh, Thorburn, Tierney, Troy. Total—17.

Senate Joint Memorial No. 3, introduced by Committee on Livestock and Grazing, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Cooney, Darlinton, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Besancon, Bretzke, Cavanaugh, Curran, Dellwo, Green (Dawson), Gustafson, Holton, Kroman, Merritt, Moss, Moulton, Ryder, Thorburn, Tierney, Westlake. Total—16.

Senate Joint Resolution No. 6, introduced by McCabe, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Cooney, Darlinton, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Hagerty, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Westlake, White, Woodcock, Mr. Speaker. Total—79.

Noes: Plumer, Ryder. Total—2.

Absent and not voting: Bonine, Bretzke, Cavanaugh, Clausen, Curran, Dellwo, Gustafson, Green (Dawson), Hardcastle, Holton, Knowles, Kroman, Logan, Moss, Moulton, Mulholland, Prescott, Shields, Stambaugh, Warren, Willard. Total—21.

Senate Joint Resolution No. 7, introduced by Griffin, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Clarke, Clausen, Cooney, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Barry, Bretzke, Chatham, Cheadle, Curran, Darlinton, Dellwo, Green (Dawson), Gustafson, Hagerty, Hardcastle, Holton, Kroman, Moss, Moulton, Ryder, Stambaugh, Warren. Total—18.

The Speaker gave notice that he was about to sign Senate Bills Nos. 24, 29, 35, 37 and 45, and thereupon signed said bills.

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Education, having had under consideration Substitute for Senate Bill No. 26 by Committee on Education, respectfully report as follows: That Sub. Senate Bill No. 26 be amended as follows:

By striking out all of Section 1 after the word "after" in line 13 of the original bill, and inserting in lieu thereof the following: The election of any teacher or principal for the third consecutive year in any school district in the State, such teacher or principal so elected shall be deemed re-elected from year to year thereafter at the same salary unless the board of trustees shall by majority vote of its members on or before the first day of May give notice in writing to said teacher or principal that he has been re-elected or that his services will not be required for the ensuing year; provided that nothing in this Act shall be construed to prevent re-election of such teacher or principal by such board at an earlier date, and also provided that in case of re-election of such teacher or principal he shall notify the board of trustees in writing within ten days after the notice of such re-election of his acceptance of the position tendered him for another year and failure to so notify the board of trustees shall be regarded as conclusive evidence of his non-acceptance of the position tendered him, and as amended it be concurred in.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 62, by Duncan, respectfully report as follows: That Senate Bill No. 62 be concurred in.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 97, by Eaton, Swift, Cowan and Smith, respectfully report as follows: That Senate Bill No. 97 be concurred in.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 93, by Ruffcorn, respectfully report as follows: That Senate Bill No. 93 be concurred in.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 49, introduced by Hazelbaker, respectfully report as follows: That Senate Bill No. 49 be concurred in.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 92, introduced by Cheadle, respectfully report as follows: That House Bill No. 92 do not pass.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 94, introduced by Dowlin by request, respectfully report as follows: That Senate Bill No. 94 be amended by striking out the period after the word "board" in line 5 of Section 1 and inserting in lieu thereof a semi-colon and adding the following: "provided such report shall not be published by the Board of County Commissioners as a part of the minutes of its proceedings", and that said bill when so amended be concurred in.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 101, introduced by Hazelbaker, Dowlin and Sibbert, respectfully report as follows; that Senate Bill No. 101 be amended as follows:

Amend Section 2 by inserting in line 3 of said Section after the word "notify" and before the word "the" the following words: "by registered mail", and that the bill when so amended be concurred in.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Governor:

Helena, Montana, February 23, 1927.

"The Speaker, House of Representatives,
Helena, Montana.

I have the honor to transmit herewith a certified copy of Senate Joint Memorial No. 2 of the Legislature of Wyoming, for such action as your Honorable Body may deem advisable.

J. E. ERICKSON, Governor."

Moved by Bricker, duly seconded and carried, that the following communication received from the Governor's office, be considered read at length and the Journal so show, and that the communication be referred to the Committee on Federal Relations as a miscellaneous communication.

THE STATE OF WYOMING

Office of the Secretary of State

United States of America, ss.

State of Wyoming.

I, A. M. Clark, Secretary of State of the State of Wyoming, do hereby certify that the annexed is a full, true and correct copy of the Enrolled Joint Memorial No. 2, of the Senate of the Nineteenth Legislature of the State of Wyoming, being Original Senate Joint Memorial No. 6, as approved by the Governor of the State of Wyoming.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Wyoming.

Done at Cheyenne, the Capital, this nineteenth day of February, A. D. 1927.

(Seal)

A. M. CLARKE,

By H. M. SYMON, Deputy.

Secretary of Senate.

ENROLLED JOINT MEMORIAL NO. 2, SENATE NINETEENTH LEGISLATURE OF THE STATE OF WYOMING

Memorial to Congress relating to the delivery to the State of all unappropriated public lands:

Be IT RESOLVED, by the Senate of the State of Wyoming, the House of Representatives concurring, that the Congress of the United States be memorialized as follows:

WHEREAS, the State of Wyoming is composed of lands acquired under four treaties: (1) Louisiana, 1803; (2) Texas, 1845; (3) Oregon, 1864, and (4) Mexico, 1848;

WHEREAS, in the Louisiana Purchase treaty, covering land out of which most of the State is taken, it is provided:

"The inhabitants of the ceded territory shall be incorporated into the Union of the United States, and admitted as soon as possible according to the principles of the Federal Constitution to the enjoyment of all the rights, advantages and immunities of the citizens of the United States; and in the meantime, they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess."

WHEREAS, in the Act of Admission of Wyoming, approved July 10, 1890, the enacting clause reads:

"Be It Enacted, etc., That the State of Wyoming is hereby declared to be a State of the United States of America and is hereby declared admitted into the Union on an equal footing with the original states in all respects whatever; and that the constitution which the people of Wyoming have formed for themselves be, and the same is hereby accepted, ratified and confirmed."

WHEREAS, the ordinances approved by the Constitutional convention of Wyoming, provided in Section 3;

"The people inhabiting this State do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries thereof, and to all lands lying within said limits owned or held by any Indian or Indian tribes, and that until the title thereto shall have been extinguished by the United States, the same shall be and remain subject to the disposition of the United States and that said Indian lands shall remain under the absolute jurisdiction and control of the Congress of the United States."

WHEREAS, the Constitution of the United States nowhere grants any authority to Congress to buy or hold any territory, except in Article 1, Section 8, Paragraph 17;

"To exercise exclusive legislation in all cases whatsoever over such district (not exceeding 10 miles square) as may be by cession of particular States and the acceptance of Congress become the seat of Government of the United States, and to exercise like authority over all places purchased, by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazine, arsenals, dock yards, and other needful buildings. And to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof."

WHEREAS, it is set forth in Section 3 of Article IV of the Federal Constitution:

"The Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States."

WHEREAS, the ordinances of 1787, establishing the Northwest Territory, out of which was carved Ohio, Indiana, Illinois, Michigan and Wisconsin, provided as follows:

"The Legislature" of those districts or new states shall have powers (among others) "to provide also for the establishment of States and permanent government therein, and for their admission to a share in the Federal councils on an equal footing with the original States, at as early periods as may be consistent with the general interest." "The legislature of those districts or new states shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchases." "And whenever any of the said states shall have sixty thousand inhabitants therein, such state shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original states in all respects whatever."

WHEREAS, it was said by the Supreme Court in Pollard's Lessee v. Hagan, 15 U. S. Supreme Court, page 391:

"We think a proper examination of this subject will show that the United States never held any municipal sovereignty, jurisdiction or right of soil in and to the territory, of which Alabama or any of the new states were formed, except for temporary purposes. and to execute the trusts created by the Acts of the Virginia and Georgia legislatures, and the deeds of cession executed by them to the United States, and the trust created

by the treaty with the French Republic of the 30th of April, 1803 ceding Louisiana."

WHEREAS, the power so given in the Federal Constitution to dispose of the territory of the United States, whatever such territory may have been, was intended to be confined to the Territory which at the time of the founding of the Federal Government, belonged to or was claimed by the United States, and was within the boundaries as settled by the treaty with Great Britain, and can have no influence upon a territory afterwards acquired from a foreign government (which acquirement was not even within the purview of the Constitution as was shown by Thomas Jefferson when he sought to secure ratification thereof after the purchase was made) such constitutional provision as to disposing of territory, being a special provisions for a known and particular territory and to meet a then present emergency and no more;

WHEREAS, the same sovereignty was given to the states which were carved out of the lands covered by the Louisiana Purchase, as was given to the states which were carved out of the Northwest Territory; and

WHEREAS, the territory covered by the Louisiana Purchase when obtained from France contained no population fit to be associated together and admitted as a state, and it was therefore absolutely necessary to hold possession of it as a territory belonging to the United States until it was settled and inhabited by a civilized community capable of self government and in a condition to be admitted on equal terms with the other states as a member of the Union; and was acquired by the general government as the representative and trustee of the people of the United States to be held only as such Trustee until such time only as it had sufficient population to assume the position to which it was destined among the states of the Union;

WHEREAS, as was said by Senator Hendricks of Indiana in Congress as far back as January 28, 1828, explaining why the states acceded to the deprivation of sovereignty by the Federal Government in organic acts; that the territories anxious to gain a political elevation, anxious to gain the level of equality with the original states, did not rightly consider the immense sacrifices they were making for the name, while they were not really acquiring the substance of equality and independence;

WHEREAS, the Senate Public Lands Committee in 1832, after a comprehensive survey and study of the public lands, made a formal report, in which it said among other things: "Our pledge would not be redeemed by merely dividing the surface into states and giving them names"; supplemented by Congressman Winter of Wyoming when he said "We ask the status of states of a Union, not provinces of a central power".

WHEREAS, Chief Justice Marshall, in *Martin v. Hunter* (1 Wheaton 325), ruled that the sovereign powers vested in the State Governments by their respective constitutions remain unaltered and unimpaired, except so far as they are granted to the Government of the United States, and their apparent grant to the United States in the organic acts, was unconstitutional and therefore void and not binding on the states;

WHEREAS, in the case of *Coyle vs. Smith*, 221 U. S. 559, the Supreme Court, referring to the case of *Pollard's Lessee vs. Hagen*, used the following language;

The plain deduction from this case is that when a new state is admitted into the Union, it is so admitted with all of the powers of sovereignty and jurisdiction which pertain to the original states, and that such powers may not be constitutionally diminished, impaired, or shorn away by any conditions, compacts, or stipulations embraced in the act under which the new State came into the Union.

WHEREAS, we search in vain for any clause in the Federal Constitution which prohibits to the states the exercise of any powers connected with the public lands, and the control asserted by the Federal Government

is a growth of a system nowhere even contemplated by the founders of our government and in violation of the sovereignty of states which came into the federal Union on an equal footing with the original states in all respects whatever;

WHEREAS, the present public land policy of the Federal Government, which was inaugurated in or about the year of 1905 under the present system of reserving to the Federal Government title to public lands and natural resources, had resulted in a condition which threatens the continued progress and prosperity of eleven states of the Union known generally as semi-arid or public land states, same being as follows: Wyoming, Colorado, New Mexico, Arizona, Utah, Montana, Idaho, Nevada, California, Oregon and Washington, in which the said Federal Government now retains title to more than 586,000 square miles of public land not including Indian Reservations or Parks;

WHEREAS, this area amounts in the aggregate to one-half the total land areas of these aforesaid states, and that of this area about 205,000 square miles have been placed in forest reserves, over 75,000 square miles in coal, oil, phosphate and other reserves, leaving only about 300,000 square miles of unappropriated and unreserved public lands;

WHEREAS, this unreserved public land consists mainly of desert and mountains which are of little value as agricultural land, but of great potential value for mining and grazing, containing forests, coal, oil and other natural resources, but which have greatly diminished actual value as long as they remain in public ownership;

WHEREAS, of the forty-eight sovereign states the inhabitants of thirty-seven own and have always owned all their lands and their state sovereignty and authority covers every natural resource within their borders, thus placing the eleven states aforementioned on an unequal basis with other states to the untold financial injury of the inhabitants thereof;

WHEREAS, this immense landed territory now held by the Federal Government, and from which it is collecting rents and royalties, indicates a definite purpose not to dispose of such lands nor to put them under the jurisdiction of the states in which they lie, thereby preventing said lands from becoming populated and their resources from being developed and denying to the states the right to tax them or to make laws for them;

WHEREAS, this said policy of the Federal Government, now effective, that of permitting the withdrawal of large areas of public lands from taxation and reserving to itself all natural resources including water power, power sites, timber and minerals, limits to the aforesaid eleven states the possibility of raising sufficient revenue to meet their rapidly increasing state expense, while the value of such natural resources so withdrawn remains far in excess of the total land valuation of that part of the entire state which is now privately owned;

WHEREAS, the eleven states heretofore enumerated have received from the Federal Government two sections out of every township for school purposes, and in every case this trust has been properly and profitably administered, which demonstrates that individual states can, and will if permitted, administer their public lands and natural resources with justice and profit;

WHEREAS, the great bulk of available area for settlement by homestead under existing laws regulating the settlement of agricultural land having now been taken up and occupied, several states have reached their limit in lands capable of bearing taxation, thus checking further development of the entire state by lack of taxable property;

WHEREAS, we desire the trust to be fulfilled just as it was with Ohio, Indiana, Illinois, Iowa, Nebraska, and Alabama, and other states originally situated, as are the public land states now;

WHEREAS, we confidently believe that the prayer of this joint memorial will appeal not only to the remaining ten public land states similarly

situated, but also to all other states of the United States, as founded on justice and equality;

THEREFORE, we, the Senate and House of Representatives of the State of Wyoming, hereby memorialize the Congress of the United States to enact such legislation as will cause the return by the United States to the States comprising said Government of all vacant and unappropriated lands, together with all natural resources including water power, power sites, forests and minerals, now held in trust by the Federal Government within the borders of any of the said states;

BE IT FURTHER RESOLVED, That engrossed copies of this memorial and request be sent to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the Senators from Wyoming in the Congress of the United States; Honorable Francis E. Warren and Honorable John B. Kendrick, and our representatives in said Congress, Honorable Charles E. Winter, asking their aid in bringing the object of this memorial before Congress;

BE IT FURTHER RESOLVED, That engrossed copies of this memorial be sent to the Governors of each of the remaining public land states, asking them to place before the Legislatures of said States, this memorial, urge the adoption of this or a similar memorial; and request their cooperation in securing favorable action thereon by the Congress of the United States; and also their cooperation in a convention to be held at some convenient place for the purpose of uniting to carry out the purpose of this memorial; and for such other purposes as may seem fitting to such convention.

PERRY W. JENKINS,

President of the Senate.

A. W. McCOLLOUGH,
Speaker of the House.

Approved 1:57 P. M., February 17, 1927.

FRANK C. EMERSON, Governor."

There being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders; that on discussion of the main bill proponents and opponents be allowed to talk ten minutes and others five minutes; that on amendments, proponents and opponents be allowed five minutes and others three minutes, with no trading of time; that each member be allowed to talk only once, except proponents and opponents; that bills be read by history, title and section numbers only.

Mr. Nelson in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bills Nos. 57, 113, 114, Substitute for Senate Bill No. 5, House Bill No. 310, Senate Amendments to House Bills Nos. 67 and 124, respectfully report as follows:

That consideration of Senate Bills Nos. 57, 113, 114, Substitute for Senate Bill No. 5 be passed for the day.

That House Bill No. 310 be amended as follows:

The title: By striking out in lines 1 and 2, the words "for the erection and equipments of buildings and"

Section 1: By striking out line 5 and 6 of printed bill.

Section 2: By striking out line 5 and 6 of printed bill.

Section 4: By striking out all of Section 4, and that as so amended said House Bill No. 310 do pass.

That Senate amendments to House Bill No. 67 be concurred in.

That Senate amendments to House Bill No. 124 be concurred in.

NELSON, Chairman."

On motion of Nelson, report adopted.

At the request of Flachsenhar, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Flachsenhar, duly seconded and carried, that House Bill No. 310 by considered properly engrossed and placed on Third Reading.

At the request of Flachsenhar, there being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

House Bill No. 310, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Arnold, Bonine, Bricker, Budas, Burns, Cavanaugh, Clarke, Clausen, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jones (Ravalli), Kelly, Knight, Lamb, Leavens, Lillis, Logan, Lowry, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Mulholland, Murphy, Nagle, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Sample, Throssel, Troy, White, Willard, Mr. Speaker. Total—52.

Noes: Akofer, Benjamin, Besancon, Brown, Burke, Chatham, Cheadle, Cooney, Green (Fergus), Hagerty, Jensen, Jones (Phillips), Jones (Cascade), Larson, McLeod, Miller (Lincoln), Moulton, Nelson, O'Day, Rife, Rockwood, Rognlien, Rorvik, Sparling, Steeves, Sutton, Thorburn, Tinsley, Warren, Westlake, Woodcock. Total—31.

Present and not voting: Barry. Total—1.

Absent and not voting: Ballard, Benson, Bretzke, Curran, Dellwo, Fulsher, Gustafson, Green (Dawson), Johnson, Knowles, Kroman, Leavitt, Moss, Ryder, Shields, Stambaugh, Tierney, Waite. Total—18.

Senate amendments to House Bill No. 67, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benson, Barry, Besancon, Bonine, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Lowry, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Sutton, Throssel, Tierney, Troy, Waite, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—75.

Noes: Cavanaugh, Plumer, Steeves, Thorburn, White. Total—5.

Absent and not voting: Benjamin, Bretzke, Bricker, Brown, Curran, Dellwo, Dougherty, Fulsher, Green (Dawson), Gustafson, Harris, Johnson, Knowles, Kroman, Leavitt, Lillis, Logan, McLeod, Moss, Ryder, Stambaugh, Tinsley. Total—22.

Senate amendments to House Bill No. 124, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Arnold, Benjamin, Benson, Besancon, Bonine, Bricker, Brown, Budas, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Darlington,

Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Fergus), Hagerty, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Knight, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—73.

Noes: Abrahamson, Adair, Ballard, Barry, Burke, Cooney, Doran, Goodwin, Hardcastle, Kelly, Mason, Mulholland, Nagle, Ryder. Total—14.

Absent and not voting: Bretzke, Chatham, Curran, Dellwo, Fulsher, Green, (Dawson), Gustafson, Jones, (Phillips), Knowles, Kroman, Moss, Moulton, Sample, Stambaugh, Tinsley. Total—15.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Senate:

Helena, Montana, February 23, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion duly made and seconded, the Senate requests the return of House Bill No. 159 for further consideration.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the request of the Senate be granted.

Moved by Bricker, duly seconded and carried that the following communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 23, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees have this day reported as follows:

Committee on Public Buildings and Grounds report that H. B. No. 218 be concurred in.

Committee on Finance and Claims report that H. B. No. 146 be concurred in.

Committee on Finance and Claims report as follows:

That H. B. No. 306 be concurred in.

That H. B. No. 220 be concurred in.

Committee on Dairies and Dairying report that H. B. No. 212 be concurred in.

Committee on Public Lands report that H. B. No. 150 be concurred in.

Committee on Finance and Claims report that H. B. No. 90 be amended as follows:

Amend the title to read as follows: "An Act transferring the balance of the state law enforcement fund remaining in the State Treasury to the general fund of the State of Montana."

Amend by striking out in line 9 of Section 1 the words "to the Department" and out of line 10, of Section 1, the words "of the Attorney General" and inserting in lieu thereof the words "the general fund of the State of Montana", and, as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:00 A. M., Thursday, February 24, 1927.

Attest:

G. T. DAVIS, Speaker.

H. J. FAUST, Chief Clerk.

FIFTY-THIRD DAY

House of Representatives,
Helena, Montana, February 24, 1927.

House convened pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all members present, except: Bretzke, excused; Fulsher, absent.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifty-second legislative day, find the same to be correct.
G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Rules, recommend the suspension of rules of the House for introduction of memorial to the Minnesota legislature.

COONEY."

On motion of Cooney, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration, Senate Bill No. 33, introduced by Dowlin, respectfully report as follows: That Senate Bill No. 33 be concurred in.
BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 72, introduced by Survant, respectfully report as follows: That Senate Bill No. 72 be concurred in.
BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 85, introduced by Kemmis, respectfully report as follows: That Senate Bill No. 85 be concurred in.
BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration substitute for Senate Concurrent Resolution No. 9, introduced by Committee on Taxation, respectfully report as follows: That substitute for Senate Concurrent Resolution No. 9 be concurred in.

BRICKER, Chairman."

On motion of Bricker, report adopted.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under the rules that on discussion of the main bill, proponents and opponents of bills be allowed to talk ten minutes and others five minutes; that on amendments proponents and opponents be allowed to talk five minutes and others three minutes, with no trading of time; that each member be allowed to talk only once, except proponents and opponents; that bills be read by history, title and section numbers only.

Mr. Stambaugh in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Amendments to House Bills Nos. 165 and 177, Senate Bills Nos. 63, 49, 62, 93, 94, 97, Sub. for Senate Bill No. 5, Sub. for Senate Bill No. 26, respectfully report as follows:

That Senate amendments to House Bill No. 165 be concurred in.

That Senate amendments to House Bill No. 177 be concurred in.

That Senate Bill No. 63 be concurred in.

That Senate Bill No. 49 be concurred in.

That Senate Bill No. 62 be amended as follows:

Section 1: By adding at the end of line 19, of printed bill, after the word "State" the following: "Not oftener than once a year and the proportionate expenses and charges against each county as a member of such association shall also be paid", and that as so amended, said bill be concurred in.

That Senate Bill No. 93 be concurred in.

That consideration of Senate Bill No. 94 be passed for the time.

That Senate Bill No. 97 be concurred in.

That consideration of substitute for Senate Bill No. 5 be passed for the day.

That substitute for Senate Bill No. 26 be concurred in.

STAMBAUGH, Chairman."

On motion of Stambaugh, report adopted.

Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 156 and 184.

WAITE, Chairman."

The Speaker gave notice that he was about to sign House Bills Nos. 184 and 156 and thereupon signed same.

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 282, introduced by Leavitt and Kroman, respectfully report as follows: That House Bill No. 282 do not pass.

MOSS, Chairman."

On motion of Moss, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 52, by Committee on Roads and Highways, respectfully report as follows: That Senate Bill No. 52 be not concurred in.

MOSS, Chairman."

On motion of Moss, report adopted.

"Mr. Speaker: We, a minority of your Committee on Highways, having had under consideration Senate Bill No. 14, introduced by Joffray, respectfully report as follows: That Senate Bill No. 14 be concurred in.

NELSTEAD.

HAGERTY.

KNOWLES.

GREEN of Dawson.

HOLTON.

LOWRY."

"Mr. Speaker: We, the majority of your Committee on Highways having had under consideration Senate Bill No. 14, introduced by Joffray respectfully report as follows: That Senate Bill No. 14 be not concurred in.

MOSS.
DARLINTON.
ABRAHAMSON.
WILLARD.
SHIELDS.
KELLY.
LILLIS.
STEEVES."

Moved by Moss, duly seconded, that the majority report be adopted.

Moved by Nelstead, as a substitute motion, duly seconded, that the minority report be adopted.

Moved by Ryder, as a substitute motion for all pending motions, duly seconded, that the substitute motion of the gentleman from Carter be laid on the table.

Call of the House demanded, seconded by fifteen members.

The Clerk called the roll of the House and found Fulsher, absent; Bretzke, excused.

Moved by Bricker, duly seconded and carried, that further call of the House be dispensed with.

Question arising on the substitute motion for all pending motions to table the substitute motion of the gentleman from Carter was carried by the following vote, roll call having been demanded:

Ayes: Abrahamson, Adair, Ballard, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Chatham, Cheadle, Clausen, Cooney, Curran, Darlington, Doran, Dougherty, Dunn, Foot, Goodwin, Green (Fergus), Hardecastle, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Leavens, Lillis, Logan, McCleary, Marshall, Mason, Miller (Fergus), Moss, Moulton, Mulholland, Murphy, Nagle, O'Day, Prescott, Rockwood, Rognlien, Ryder, Sample, Shields, Steeves, Throssel, Troy, Warren, Westlake, Willard. Total—55.

Noes: Akofer, Arnold, Benjamin, Bricker, Burns, Cavanaugh, Clarke, Dellwo, Donaldson, Erickson, Flachsenhar, Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Johnson, Jones (Phillips), Knowles, Kroman, Larson, Leavitt, Lowry, McLeod, Merritt, Miller (Lincoln), Nelson, Nelstead, Nicholson, Plank, Plumer, Reed, Rife, Rorvik, Sparling, Stambaugh, Sutton, Thorburn, Tierney, Tinsley, Waite, White, Woodcock, Mr. Speaker. Total—45.

Absent and not voting: Bretzke, Fulsher. Total—2.

Helena, Montana, February 22, 1927.

To the Speaker of the House and to the President of the Senate:

We, your Joint Conference Committee, having had under consideration Senate amendments to House Bill No. 99, by Plumer: A Bill for an Act entitled: "An Act to amend Section 4465, Revised Codes of Montana, 1921, as amended by Chapter 95 of the Laws of the Eighteenth Legislative Assembly, relating to the general and permanent powers of the Board of County Commissioners", respectfully recommend that the Senate recede from its amendment to Section 1, Sub-section 10, in line 8 of page 3 of the engrossed bill, which amendment struck out the word "one-eighth" and inserted in lieu thereof the word "one-fourth", and we further recommend that the House concur in the amendment of the Senate to Section 1, Sub-section 21, line 18 of page 4 of the engrossed bill, which amendment struck out the words "or otherwise".

Senate: HAZELBAKER.
SPENCER.
PORTER.

House: DONALDSON.
KROMAN.
WOODCOCK."

On motion of Donaldson, the conference committee report was adopted by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Harcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, O'Day, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—88.

Noes: Lowry, Nicholson, Plank, Rorvik. Total—4.

Absent and not voting: Barry, Bretzke, Dellwo, Erickson, Fulsher, Green (Dawson), Kelly, Knowles, Larson, Moss. Total—10.

There being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, read first time by title, second time at length and referred to the standing committees:

House Bill No. 313, by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the units of the Greater University of Montana, for the period beginning July 1, 1927, and ending June 30, 1929." Referred to Appropriations Committee.

House Bill No. 314, by Appropriations Committee: A Bill for an Act entitled: "A supplementary appropriations bill appropriating money for the use of the Governor upon the issuance of requisitions and for the transportation of prisoners from the period beginning December 1, 1926, and ending June 30, 1927." Referred to Committee on Appropriations.

House Bill No. 315, by Appropriations Committee: A Bill for an Act entitled: "A supplementary appropriation bill appropriating money out of the State Treasury of the State of Montana for the use of the State Board of Equalization to be paid out of any moneys which have been or may be credited to the State Highway Fund in carrying out the provisions of House Bills Nos. 117 and 119 of the Twentieth Legislative Assembly of 1927, relative to gasoline license taxes and rebates thereof." Referred to Appropriations Committee.

House Bill No. 316, by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate funds for the payment of claims due to the Industrial Accident Board of the State of Montana, as assessments against certain state institutions from January 1 to December 31, 1923." Referred to Committee on Appropriations.

House Memorial No. 1, by Johnson, being a memorial relative to the refusal of the Governor of Minnesota to honor requisition of Governor of Montana for surrender of A. M. Sheldon.

Moved by Johnson, duly seconded, that House Memorial No. 1 be adopted.

Roll call being demanded, the memorial was adopted by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Harcastle, Harris, Hodgskiss, Holton, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Logan, Lowry, McCleary, McLeod,

Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mr. holland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plar, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Spaling, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Troy, Warren, Weslake, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Ballard, Bretzke, Bricker, Chatham, Dellv, Donaldson, Fulsher, Green (Dawson), Jameson, Lillis, Moss, Ryde, Shields, Thorburn, Tierney, Waite. Total—16.

Moved by Bricker, duly seconded and carried, that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

The Speaker excused Thorburn and Green of Fergus for the afternoon. There being no objections. House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 313, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 313 do pass. REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 314, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 314 do pass. REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 315, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 315 do pass. REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 316, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 316 do not pass. REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, the majority of your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 31, introduced by Paul, respectfully report as follows: That Senate Bill No. 31 be amended as follows:

Amend the title, by inserting after the word "Section" the following "2182 of the Revised Codes of Montana of 1921 as amended by";

Amend Section 1, line 1, by inserting after the word "Section", the following: "2182 of the Revised Codes of Montana of 1921 as amended by";

Also amend in line 14 of the original bill and line 3 of the printed bill by striking out the figure "8" and inserting in lieu thereof the figure "2182", and that as so amended, the same be concurred in.

BRICKER.
JONES of Phillips.
COONEY.
FLACHSENHAR.
DORAN.
ADAIR.
DONALDSON.
JAMESON."

"Mr. Speaker: We, the minority of your Committee on Revenue and Education, having had under consideration Senate Bill No. 31, introduced by Mr. Phil, respectfully report as follows: That Senate Bill No. 31 be not concurred in.

RYDER.
McCLEARY.
SUTTON.
HOLTON.
ROCKWOOD.
BURKE.
BENJAMIN."

Moved by Bricker, duly seconded, that the majority report be adopted.

Moved by Holton, as a substitute motion, duly seconded, that the minority report be adopted.

Question arising on the substitute motion, same was carried by the following vote; roll call having been demanded:

Ayes: Abrahamson, Arnold, Benjamin, Benson, Besancon, Burke, Burke, Curran, Dellwo, Dougherty, Erickson, Foot, Fulsher, Goodwin, Dougherty, Hardcastle, Hodgskiss, Holton, Jones (Ravalli), Kelly, Lillis, McCleary, McLeod, Marshall, Merritt, Miller (Lincoln), Mulholland, Murphy, Scholson, Plank, Plumer, Prescott, Rife, Rockwood, Rorvik, Ryder, Sutton, Ansley, Waite, Warren, Westlake, White, Willard, Mr. Speaker. Total—44.

Noes: Adair, Ballard, Bonine, Bricker, Brown, Budas, Cavanaugh, Headle, Cooney, Darlington, Donaldson, Doran, Dunn, Flachsenhar, Green (Lawson), Gustafson, Harris, Johnson, Jones (Phillips), Jones (Cascade), Wright, Kroman, Lamb, Larson, Leavens, Leavitt, Logan, Mason, Miller (Fergus), Moss, Nagle, Nelson, Nelstead, O'Day, Reed, Rognlien, Shields, Darling, Steeves, Throssel, Troy, Woodcock. Total—42.

Absent and not voting: Akofer, Barry, Bretzke, Burns, Chatham, Hansen, Green (Fergus), Jensen, Knowles, Moulton, Sample, Stambaugh, Norburn, Tierney. Total—14.

Paired: Jameson and Lowry.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration Senate Bill No. 129, introduced by Church, respectfully report as follows: That Senate Bill No. 129 be concurred in.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration Senate Bill No. 107, introduced by Spencer, Church, Cowan, Hazelbaker, Gilboe, Survant, McCone, Brownlee, Johnson, Kennedy, Richardson, respectfully report as follows: That Senate Bill No. 107 be concurred in.

HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 95, introduced by Porter, respectfully report as follows: That Senate Bill No. 95 be concurred in.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 58, introduced by Wuerthner, McCabe and Deane, respectfully report as follows: That Senate Bill No. 58 be concurred in.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

There being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by White, duly seconded, that the House reconsider its action on Senate Bill No. 31.

Moved by Holton, as a substitute motion, duly seconded, that motion be laid on the table.

Question arising on the substitute motion, same carried.

Moved by Reed, duly seconded and carried, that the following committee of the Appropriations Committee composed of Johnson of Valley, Knowles of Jefferson, Tinsley of Madison, be instructed to investigate the water works system of the school for the Deaf and Blind at Boulder Montana, and report their findings to this Assembly.

By Reed:

WHEREAS, It is apparent that there will be an unexpended balance remaining of the money appropriated to meet the expense of the Twentieth Legislative Assembly of the State of Montana, and

WHEREAS, The furniture and equipment of both the said House and Senate is in need of repairs.

THEREFORE, BE IT RESOLVED, by the House of Representatives and the Senate of the Twentieth Legislative Assembly of the State of Montana, that the sum of Five Hundred dollars, or so much thereof as shall be necessary, of said unexpended balance, if any, be used for the purpose of repairing the furniture and equipment of the House and Senate of the Legislative Assembly of Montana, and a copy of this be given to the Board of Examiners.

Motion duly seconded and carried.

There being no objections House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Helena, Montana, February 24, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day refused to concur in House amendments to Senate Bill No. 71 and ask that conference committee be appointed to act with a like committee from the House for consideration of said amendments. Thereupon, the President appointed the following Senators: Shert, Dowlin, Goodman.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the request of the Senate be granted and the Speaker appoint the conference committee.

Helena, Montana, February 24, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day refused to concur in House amendments to Senate Substitute for House Bill No. 22 and asked that a Conference Committee be appointed to act with a like committee from the House for consideration of said amendments. Thereupon, the President appointed the following Senators: Duncan, Eaton, Bergstrom.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the request of the Senate be granted, and the Speaker appoint the Conference Committee.

Moved by Bricker, duly seconded and carried, that the following communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 24, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were, by standing committees, recommended

non-concurrence. Reports adopted and bills are herewith returned to House.

Committee on Livestock and Public Ranges—House Bill No. 121.

Judiciary Committee—House Bill No. 288.

Judiciary Committee—House Bill No. 16.

Judiciary Committee—House Bill No. 255.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 24, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that, on roll call, the Senate concurred in House amendments to Senate Joint Resolution No. 6.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 24, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate, on roll call, concurred in House amendments to Senate Bill No. 68.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 24, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate, on roll call, concurred in House amendments to Senate Bill No. 75.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 24, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows: Report adopted.

That consideration of H. B. No. 241 be passed.

That H. B. No. 81 be amended in Section 3 by adding after the word "committeemen" in line 7 of the printed bill the following:

"In the event there is no county central Committee in any county, the State central committee of the political party having no county central committee in said county shall appoint a county central committee therein and said county central committee shall have the same powers and duties as county central committee selected as now provided by law."

Amend H. B. No. 81 in Section 4 by inserting a period after the word "proceedings" in line 3 of the printed bill, and by striking out the remainder of the sentence following the said word "proceedings", and inserting in lieu hereof the following sentence, viz: "No proxy shall be recognized unless held by an elector of the precinct of the committeeman executing the same."

Amend H. B. No. 81 in Section 4 by inserting after word "Committeeman" in line 4 of the printed bill the following: "and his duly appointed proxy", and, as amended, the same be concurred in.

That House Bill No. 146 be concurred in.

That House Bill No. 50 be amended in Subdivision 8 of Section 4 by adding the word "buy" immediately after the word "securities" in line 21, page 4, of the engrossed bill.

Amend H. B. No. 50 in Section 8 by adding after the word "stop" in line 34 the following: "Provided that this Act shall not require any bank in existence and doing business to increase its capital stock."

Amend in Section 12 by substituting in line 12 for the word "or" immediately after the word "cashier" the word "and" and in line 15 of the same section insert the words "at least one" immediately after the words "the President" and at least one, and, that further consideration of H. B. No. 50 be passed.

That House Bill No. 4 be amended in Section 12 by striking out in line 35 of the printed bill all of said line after the word "fixtures" and by striking out all of lines 46 and 47 following.

Amend H. B. No. 4 in Section 16 by striking out in line 4 of the printed bill the words "and the superintendent of bank" following the word "directors".

Amend H. B. No. 4 in Section 20 by striking out the entire section.

Amend H. B. No. 4 in Section 24 by striking out in line 3 of the printed bill the first word "accounts".

That H. B. No. 4 be amended in Section 26 by striking out in line 3 of the printed bill the word "negligent" and the words "reckless or incompetent" and by striking out in line 6 the word "negligence" and by striking out in line 7 the words "recklessness or incompetency".

That H. B. No. 4 be amended in Section 46 by striking out all of said section and inserting in lieu thereof the following:

"Whoever, being the superintendent of banks, a deputy, assistant clerk in his employ or an examiner, fails to keep secret the facts and information obtained in the course of an examination, or by reason of his official position, except when the public duty of such officer requires him to report upon or take official action regarding the affairs of the association so examined, or wilfully makes a false official report as to the condition of such association, shall be removed from office and shall be fined not more than five hundred dollars or, imprisoned in the penitentiary not less than two years nor more than five years, or both. Nothing in this section shall prevent the proper exchange of information relating to building and loan associations and the business thereof, with the representatives of building and loan departments of other states, but in no case shall the private business or affairs of any individual, association or company be disclosed."

That H. B. No. 4 be amended in Section 48 by striking out in line 7 of the printed bill the last three words thereof and by striking out lines 18, 19 and 20, and, as amended, it be concurred in.

Morning Session.

Respectfully,

J. F. CONE, Secretary of Senate."

The Speaker appointed the following Conference Committee to act with a like committee from the Senate for consideration of House amendments to Senate Substitute for House Bill No. 22: Cavanaugh of Silver Bow, Jameson of Yellowstone, Nagle of Lewis and Clark.

The Speaker appointed the following Conference Committee to act with a like committee from the Senate for consideration of House amendments to Senate Bill No. 71. Leavens of Yellowstone, Jones of Phillips, Rife of Beaverhead.

THIRD READING OF SENATE BILLS

Senate Bill No. 63, introduced by Pauline, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Besancon, Bonine, Brown, Budas, Burke, Cavanaugh, Chatham, Clark, Clausen, Curran, Donaldson, Doran, Dougherty, Dunn, Erickson, Fogel, Flachsenhar, Fulsher, Goodwin, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Kruman, Lamb, Larson, Leavens, Leavitt, Lillis, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Steeves, Sutton, Throssel, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Barry, Bretzke, Bricker, Burns, Cheadle, Cooney, Darlington, Dellwo, Green (Fergus), Green (Dawson), Gustafson, Jensen, Jones (Ravalli), Knight, Knowles, Logan, Moss, Nagle, Ryder, Stambaugh, Thorburn, Tierney, Tinsley. Total—23.

Senate Bill No. 49, introduced by Hazelbaker, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavitt, Leavens, Lillis, Logan, McCleary, McLeod, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: Plumer. Total—1.

Absent and not voting: Barry, Bretzke, Bricker, Burns, Dellwo, Green (Fergus), Green (Dawson), Knight, Knowles, Lowry, Mason, Moss, Nagle, Ryder, Stambaugh, Thorburn, Tierney. Total—17.

Senate Bill No. 93, introduced by Ruffcorn, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Barry, Bretzke, Bricker, Burns, Clausen, Dellwo, Green (Fergus), Green (Dawson), Jones (Ravalli), Knowles, Kroman, Lowry, Moss, Nagle, Ryder, Stambaugh, Thorburn, Tierney. Total—18.

Senate Bill No. 97, introduced by Eaton, Swift, Cowan and Smith, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Bonine, Brown, Budas, Burke, Chatham, Cheadle, Clausen, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Leavens, Leavitt, Lillis, Logan, McCleary, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Steeves, Sutton, Throssel, Troy, Waite, Warren, Westlake, Willard, Mr. Speaker. Total—69.

Noes: Adair, Besancon, Goodwin, Johnson, Lamb, Mason, Rife, Tinsley, Woodcock. Total—9.

Absent and not voting: Barry, Bretzke, Bricker, Burns, Cavanaugh, Clarke, Cooney, Dellwo, Fulsher, Green (Fergus), Green (Dawson), Harris,

Knowles, Larson, Lowry, McLeod, Moss, Murphy, Nagle, Ryder, Stambaugh, Thorburn, Tierney, White. Total—24.

Substitute for Senate Bill No. 26, introduced by Committee on Education, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benson, Bonine, Budas, Clausen, Cavanaugh, Clarke, Curran, Darlington, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Fulsher, Goodwin, Gustafson, Hagert, Hodgskiss, Holton, Jameson, Johnson, Jones (Phillips), Jones (Ravalli), Knight, Knowles, Kroman, Larson, Leavens, Lillis, Logan, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Nagle, Nelstead, Nicholson, Plank, Plumer, Reed, Rife, Rockwood, Rorvik, Sample, Sparling, Steeves, Sutton, Throssel, Waite, Warren, Westlake, White, Willard. Total—59.

Noes: Besancon, Brown, Burke, Chatham, Cheadle, Cooney, Donaldson, Foot, Hardecastle, Jensen, Jones (Cascade), Kelly, Lamb, Leavitt, McCleary, Mason, Mulholland, Murphy, Nelson, O'Day, Prescott, Rognlien, Tinsley, Woodcock, Mr. Speaker. Total—25.

Absent and not voting: Benjamin, Barry, Bretzke, Bricker, Burr, Dellwo, Green (Fergus), Green (Dawson), Harris, Lowry, McLeod, McLeod, Ryder, Shields, Stambaugh, Thorburn, Tierney, Troy. Total—18.

Senate Bill No. 62, introduced by Duncan, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Arnold, Ballard, Benson, Bonine, Brown, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Fulsher, Gustafson, Hagerty, Hardecastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Kroman, Larson, Leavens, Lillis, Logan, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rognlien, Sparling, Steeves, Sutton, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—66.

Noes: Abrahamson, Adair, Besancon, Budas, Foot, Goodwin, Lamb, Leavitt, Lowry, McCleary, Mason, Mulholland, Nagle, Plumer, Rockwood, Rorvik, Sample. Total—17.

Absent and not voting: Benjamin, Barry, Bretzke, Bricker, Burr, Dellwo, Green (Fergus), Green (Dawson), Harris, Kelly, Knowles, McLeod, Moss, Moulton, Ryder, Shields, Stambaugh, Thorburn, Troy. Total—19.

The Speaker gave notice that he was about to sign Senate Bills Nos. 105, 76, 69, Senate Joint Resolution No. 7, Senate Joint Memorial No. 1, and thereupon signed the same.

THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 165, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Gustafson, Hagerty, Hardecastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, Lowry, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Sutton, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—85.

Noes: None.

Absent and not voting: Bretzke, Bricker, Burns, Dellwo, Goodwin, Green (Fergus), Green (Dawson), Harris, Kelly, Moss, Ryder, Shields, Stambaugh, Steeves, Knowles, Thorburn, Troy. Total—17.

Senate amendments to House Bill No. 177, having been read three sever-
times, title and history agreed to, were concurred in by the following

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Ben-
Barry, Besancon, Bonine, Brown, Budas, Burke, Cavanaugh, Chatham,
Cadle, Clarke, Clausen, Cooney, Curran, Donaldson, Doran, Dougherty, Dunn,
Eckson, Foot, Flachsenhar, Fulsher, Goodwin, Gustafson, Hagerty, Hard-
castle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phil-
li), Jones (Ravalli), Jones (Cascade), Knight, Kroman, Lamb, Larson,
Lvens, Leavitt, Lillis, Logan, McCleary, McLeod, Mason, Merritt, Miller
(rgus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson,
Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood,
Rnlien, Rorvik, Ryder, Sample, Sparling, Steeves, Sutton, Throssel, Tier-
n, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock,
Speaker. Total—87.

Noes: None.

Absent and not voting: Bretzke, Bricker, Burns, Darlington, Dellwo,
Green (Fergus), Green (Dawson), Kelly, Knowles, Lowry, Marshall, Moss,
Selds, Stambaugh, Thorburn. Total—15.

At the request of Nelstead, there being no objections, House reverted
to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Nelstead, duly seconded and carried, that the House recon-
sider its action on Senate Bill No. 52.

Moved by Nelstead, duly seconded and carried, that Senate Bill No. 52,
re-referred to Committee on Highways.

At the request of Flachsenhar, there being no objections, House re-
verted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Flachsenhar, duly seconded and carried, that the House now
solve itself into Committee of the Whole for consideration of General
Orders, under same rules as previous sitting.

Mr. Donaldson in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under
consideration Senate Bills Nos. 94, 57, 101, 113, 114, 33, 72, 85, Substitute
or Senate Joint Concurrent Resolution No. 9, Senate Bills Nos. 58, 95,
97, 129, respectfully report as follows:

That Senate Bill No. 94 be concurred in.

That Senate Bill No. 57 be concurred in.

That Senate Bill No. 101 be concurred in.

That the committee reconsider its action on Senate Bill No. 57 and that
consideration of Senate Bill No. 57 be passed for the day.

That consideration of Senate Bills Nos. 113 and 114 be passed for the
day.

That Senate Bill No. 33 be concurred in.

That Senate Bill No. 72 be concurred in.

That consideration of Senate Bill No. 85 be passed.

That substitute for Senate Concurrent Resolution No. 9 be concurred in.

That Senate Bill No. 58 be amended as follows:

Section 1: By adding in line 17 after the word "the" the words "county paper having the largest circulation in such district" and striking out the words "official county newspaper", and that as so amended, said bill be concurred in.

That Senate Bill No. 95 be concurred in.

That Senate Bill No. 107 be not concurred in.

That Senate Bill No. 129 be concurred in.

That the committee reconsider its action on Senate Bill No. 107.

That Senate Bill No. 107 be concurred in.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 67, 77, 127, 179, 204.

MERRITT, Vice-Chairman."

Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 84 and 124 and House Joint Resolution No. 4.

WAITE, Chairman."

The Speaker gave notice that he was about to sign House Bill No. 77, House Bill No. 127, House Bill No. 145, House Bill No. 179, House Bill No. 204, House Joint Resolution No. 4, House Bill No. 124, and thereupon signed said bills.

There being no objections, House reverted to Order of Business No.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 108, by Kemmis, respectfully report as follows: That Senate Bill No. 108 be concurred in.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 100, by Judiciary Committee, respectfully report as follows: That Senate Bill No. 100 be concurred in.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 77, by Judiciary Committee, respectfully report as follows: That Senate Bill No. 77 be concurred in.

BURNS, Chairman."

On motion of Burns, report adopted.

At the request of Cooney, there being no objections, House reverted to order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Cooney, duly seconded and carried, that the Printing Committee be instructed to order two hundred copies of House Bill No. 50, as now amended by the Senate.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:30 A. M., Friday, February 25, 1927.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

FIFTY-FOURTH DAY

House of Representatives,
Helena, Montana, February 25, 1927.

House convened, pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call, all members present except: Bretzke, excused; Chatham, excused; Goodwin, absent; Johnson, excused; Knowles, excused; Tinsley, excused; Lowry, absent.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifty-third legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

The Speaker gave notice that he was about to sign Senate Bill No. 48, Senate Bill No. 75, Senate Substitute for Senate Bill No. 32, Senate Bill No. , and thereupon signed said bills.

COMMUNICATIONS AND PETITIONS

The following communication was received and read by the Clerk:

DEPARTMENT OF STATE
OLYMPIA

House Joint Memorial No. 3.

to the Honorable House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the House of Representatives and the Senate of the State of Washington, in legislative session assembled, most respectfully represent and pray as follows:

WHEREAS, under our present constitution the President, Senators and Representatives take up their duties many months after the day of election; and

WHEREAS, the provisions of the constitution herein sought to be amended are antiquated and unworkable under modern conditions, to such extent as to be, in some cases, a positive menace to the best welfare of the Nation; and

WHEREAS, the Senate has seen fit to offer and pass a constitutional amendment known as the "Norris Amendment", providing that such officers shall take office promptly after election, and have sent the same to the House;

THEREFORE BE IT RESOLVED: That, we, your memorialists, do earnestly and respectfully pray that the House of Representatives will take similar action at the earliest possible date and present the same to the legislatures of the various states for their adoption; and

BE IT FURTHER RESOLVED: That the Secretary of State, under the seal of the State of Washington, transmit to the Senate and House of Representatives of the United States at Washington, D. C., and to each Senator and Congressman from the State of Washington, and to the Legislature of each of the several states, a full, true, and correct copy of this Joint Memorial.

Passed the House January 26, 1927.

RALPH R. KNAPP,
Speaker of the House.

Passed by the Senate February 3, 1927.

W. LON. JOHNSON,
President of the Senate.

State of Washington, ss.
County of Thurston.

I, J. Grant Hinkle, Secretary of State of the State of Washington, hereby certify that the foregoing is a full true and correct copy of House Joint Memorial No. 3, as passed by the Twentieth Session of the Legislature of the State of Washington.

(Seal) Done at Olympia, this 14th day of February, 1927.

(Signed): J. GRANT HINKLE,
Secretary of State.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration, Senate Bill No. 43, introduced by Wuerthner, respectfully report as follows: That Senate Bill No. 43 be not concurred in."
BRICKER, Chairman."

On motion of Bricker, report adopted.

"Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration Senate Bill No. 128, by Church, respectfully report as follows: That Senate Bill No. 128 be concurred in."
NELSTEAD, Chairman."

On motion of Nelstead, report adopted.

"Mr. Speaker: We, the majority of your Committee on Judiciary, having had under consideration Senate Bill No. 53, by Dowlin, respectfully report as follows: That Senate Bill No. 53 be not concurred in.

NAGLE.
SAMPLE.
FOOT.
ROCKWOOD.
FLACHSENHAR.
CHEADLE.
BESANCON.
LEAVITT.

"Mr. Speaker: We, the minority of your Committee on Judiciary, having had under consideration Senate Bill No. 53, by Dowlin, respectfully report as follows: That Senate Bill No. 53 be concurred in.

BURNS.
CAVANAUGH.
LEAVENS.
KNIGHT.
LAMB.

Moved by Flachsenhar, duly seconded, that the majority report be adopted.

Moved by Burns, duly seconded, as a substitute motion, that the minority report be adopted.

Question arising on the substitute motion, same carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced, by the Appropriations Committee, read first time by title, second time at length and referred to the Appropriations Committee:

House Bill No. 317, introduced by Appropriations Committee: A bill for an Act entitled: "An Act appropriating money for the payment of refunds or drawbacks under the provisions of Chapter 17 of the Laws of the Twentieth Legislative Assembly, of license taxes paid by dealers in gasoline for the two years beginning July 1, 1927, and ending June 1929."

House Bill No. 318, introduced by Appropriations Committee: A bill for an Act entitled: "An Act appropriating money for the payment of

ads or drawbacks under the provisions of Chapter 17 of the Laws of the twentieth Legislative Assembly, of license taxes paid by dealers in gasoline for the period beginning January 1, 1927, and ending June 30, 1927."

MOTIONS AND RESOLUTIONS

Moved by Reed, duly seconded and carried, that House Bill No. 313 be taken from the Printing Committee and re-referred to the Appropriations Committee.

COMMUNICATIONS FROM GOVERNOR AND SENATE

The following communication was received from the Governor:

Helena, Montana, February 24, 1927.

The Speaker, House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved House Bill No. 156, relating to appropriations and tax levies for county fairs and the purposes for which same shall be used.

J. E. ERICKSON, Governor."

THIRD READING OF SENATE BILLS

Substitute Senate Concurrent Resolution No. 9, introduced by Committee on Taxation, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Curran, Darlington, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Fergus), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Larson, Leavens, Lillis, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Waite, Warren, Westlake, White, Williard, Woodcock, Mr. Speaker. Total—81.

Noes: Jensen, Lamb, Leavitt, Nagle. Total—4.

Absent and not voting: Bretzke, Chatham, Cooney, Dellwo, Doran, Fulsher, Goodwin, Green (Dawson), Hagerty, Johnson, Knowles, Logan, Lowry, Moss, Rife, Tinsley, Troy. Total—17.

Senate Bill No. 33, introduced by Dowlin, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Leavens, Leavitt, Lillis, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—85.

Noes: Lamb. Total—1.

Absent and not voting: Bretzke, Bricker, Chatham, Dellwo, Fulsher, Goodwin, Green (Dawson), Johnson, Knowles, Larson, Logan, Lowry, Miller (Lincoln), Moss, Tinsley, Troy. Total—16.

Senate Bill No. 72, introduced by Survant, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Dora, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, McLeod, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Ryder, Sample, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—78.

Noes: Hodgskiss, Kelly, McCleary, Mason, Mulholland, Rorvik, Spaulding, Tierney. Total—8.

Absent and not voting: Akofer, Bretzke, Chatham, Dellwo, Fulsher, Goodwin, Green (Dawson), Johnson, Knowles, Larson, Lowry, Moss, Reed, Shields, Tinsley, Troy. Total—16.

Senate Bill No. 94, introduced by Dowlin, by request, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Budas, Cavanaugh, Cheadle, Clark, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Green (Fergus), Gustafson, Hardcastle, Harris, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kell, Kroman, Leavens, Leavitt, Lillis, Logan, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Ryder, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Waite, Warren, Westlake, White, Willard, Mr. Speaker. Total—79.

Noes: Burke, Flachsenhar, Hagerty, Hodgskiss, Knight, Lamb, Rorvik, Woodcock. Total—8.

Absent and not voting: Bretzke, Brown, Burns, Chatham, Dellwo, Fulsher, Goodwin, Green (Dawson), Johnson, Knowles, Larson, Lowry, McLeod, Moss, Nagle, Rognlien, Sample, Shields, Tinsley, Troy. Total—20.

Senate Bill No. 95, introduced by Porter, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Trovatt, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—82.

Noes: Burke, Jensen. Total—2.

Absent and not voting: Arnold, Benjamin, Bretzke, Chatham, Cooney, Dellwo, Fulsher, Goodwin, Green (Dawson), Johnson, Knowles, Larson, Lowry, Moss, Nagle, Plumer, Shields, Tinsley. Total—18.

Senate Bill No. 101, introduced by Hazelbaker, Dowlin and Sibber, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Arnold, Ballard, Benjamin, Barry, Bricker, Brown, Burke, Cheadle, Clarke, Cooney, Curran, Donaldson, Doran, Dougherty, Dunn, Erickson, Green (Fergus), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Reed, Rife, Rognlien, Rorvik, Ryder, Sample, Shields, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Waite, Warren, Westlake, White, Woodcock, Mr. Speaker. Total 67.

Noes: Abrahamson, Adair, Benson, Besancon, Bonine, Budas, Burns, Cavanaugh, Darlington, Foot, Flachsenhar, Hardcastle, Kroman, Leavitt, Mulholland, Rockwood, Tierney, Willard. Total—18.

Absent and not voting: Bretzke, Chatham, Clausen, Dellwo, Fulsher, Goodwin, Green (Dawson), Johnson, Knowles, Lowry, Moss, Nagle, Plumer, Prescott, Sparling, Tinsley, Troy. Total—17.

Senate Bill No. 107, introduced by Spencer, Church, Cowan, Hazelbaker, Ilboe, Survant, McCone, Brownlee, Johnson, Kennedy and Richardson, having been read three several times, title and history agreed to, was concurred by the following vote:

Ayes: Adair, Akofer, Ballard, Benjamin, Barry, Bonine, Bricker, Brown, Burns, Cavanaugh, Cheadle, Darlington, Donaldson, Doran, Dougherty, Dunn, Gustafson, Hagerty, Hardcastle, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Leavens, Lillis, Logan, Mason, Miller (Fergus), Mulholland, Murphy, Nagle, Nelson, O'Day, Rife, Rognlien, Shields, Throssel, White, Woodcock, Mr. Speaker. Total—44.

Noes: Abrahamson, Benson, Besancon, Budas, Burke, Clarke, Clausen, Curran, Erickson, Foot, Flachsenhar, Green (Fergus), Harris, Hodgskiss, Holton, Kroman, Larson, Leavitt, McCleary, McLeod, Marshall, Merritt, Miller (Lincoln), Moulton, Nelstead, Nicholson, Plank, Prescott, Reed, Rockwood, Rorvik, Ryder, Sparling, Steeves, Sutton, Thorburn, Tierney, Troy, Waite, Warren, Westlake, Willard. Total—42.

Absent and not voting: Arnold, Bretzke, Chatham, Cooney, Dellwo, Fulsher, Goodwin, Green (Dawson), Johnson, Knowles, Lowry, Moss, Plumer, Sample, Stambaugh, Tinsley. Total—16.

Senate Bill No. 129, introduced by Church, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Adair, Ballard, Benjamin, Barry, Bonine, Bricker, Brown, Burke, Burns, Cavanaugh, Cheadle, Clarke, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Foot, Flachsenhar, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Larson, Leavens, Leavitt, Lillis, Logan, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Reed, Rife, Rockwood, Rognlien, Ryder, Shields, Sparling, Steeves, Sutton, Thorburn, Throssel, Waite, Westlake, White, Willard, Mr. Speaker. Total—70.

Noes: Abrahamson, Benson, Besancon, Budas, Erickson, Holton, McCleary, Miller (Lincoln), Prescott, Rorvik, Warren, Woodcock. Total—12.

Absent and not voting: Akofer, Arnold, Bretzke, Chatham, Clausen, Cooney, Dellwo, Fulsher, Goodwin, Green (Dawson), Johnson, Knowles, Lamb, Lowry, Moss, Sample, Stambaugh, Tierney, Tinsley, Troy. Total—20.

Senate Bill No. 58, introduced by Wuerthner, McCabe and Delaney, having been read three several times, title and history agreed to was concurred in by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh,

Cheadle, Clarke, Clausen, Curran, Darlinton, Donaldson, Doran, Doughert, Erickson, Foot, Flachsenhar, Green (Fergus), Gustafson, Hardcastle, Harri, Hodgskiss, Holton, Jameson, Jensen, Jones (Cascade), Kelly, Knight, Krman, Lamb, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marsha, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulhollan, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rif, Rockwood, Rognlien, Rorvik, Shields, Sparling, Stambaugh, Steeves, Su, ton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Westlake, Whit, Willard, Woodcock, Mr. Speaker. Total—80.

Noes: None.

Absent and not voting: Akofer, Bretzke, Chatham, Cooney, Dellw, Dunn, Fulsher, Goodwin, Green (Dawson), Hagerty, Johnson, Jones (Phi, lips), Jones (Ravalli), Knowles, Larson, Lowry, Moss, Nagle, Plume, Ryder, Sample, Tinsley. Total—22.

There being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that the report of tl action of the House on Substitute for Senate Concurrent Resolution No. be given to the Associated Press for publication.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Bricker, duly seconded and carried that the following con munications from the Senate be considered read at length and the Journ so show.

Helena, Montana, February 24, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorab Body that the following House bills were this day read three several time title and history agreed to, concurred in, and are herewith returned to tl House:

H. B. No. 146; H. B. No. 212; Sub. H. B. No. 218; H. B. No. 220, H. B. No. 239; H. B. No. 306.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 24, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorabl Body that the Committee of the Whole, having had under consideratio business on General File, report and recommend as follows: Report adopte

That consideration of H. B. No. 150 be passed.

That H. B. No. 212 be concurred in.

That H. Sub. for H. B. No. 218 be concurred in.

That H. B. No. 220 be concurred in.

That H. B. No. 239 be concurred in.

That H. B. No. 306 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 24, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorabl Body that the following standing committees have this day reported as fo lows: Report adopted. Morning Session.

Constitutional Amendments Committee report that H. B. No. 198 b concurred in.

Railroads and Transportation Committee report that H. B. No. 188 b concurred in.

Judiciary Committee report as follows:

That H. B. No. 289 be concurred in.

That H. B. No. 16 be not concurred in.

That H. B. No. 255 be not concurred in.

That H. B. No. 288 be not concurred in.

Finance and Claims Committee report as follows:

That H. B. No. 260 be concurred in.

That H. B. No. 269 be concurred in.

That H. B. No. 305 be concurred in.

Committee on Federal Relations report that H. B. No. 234 be concurred in.

Stockgrowing and Grazing Committee report as follows:

That H. B. No. 121 be not concurred in.

That H. B. No. 216 be concurred in.

That H. B. No. 229 be concurred in.

AFTERNOON SESSION

Committee on Counties and Towns report that H. B. No. 167 be amended as follows:

Amend Section 1 of the engrossed bill by striking out the word "may" in line 13 and inserting in lieu thereof the word "shall" and by striking out in line 14 thereof the words "or a good and sufficient individual bond" together with the comma, and by striking out all of line 15 following the comma after the word "law". Also strike out all of lines 16 and 17. Also strike out in line 22 the words and figures "Twenty percent (20%)" and insert in lieu thereof the words and figures "Fifty percent (50%)", and, as amended, it be concurred in.

Committee on Counties and Towns report that Sub. H. B. No. 85 be amended by striking out the title and inserting in lieu thereof the title:

"A Bill for an Act entitled: 'An Act relating to delinquent taxes and special assessments of cities and towns, in which cities or towns the City Treasurer collects the taxes so as to provide that all delinquent taxes and assessments shall be certified to the County Treasurer and that such delinquent taxes and assessments shall be included by the County Treasurer in all tax sales made by him'".

Committee on Counties and Towns report that H. B. No. 95 be amended as follows:

Amend in Section 1, line 15, by inserting after the words "organized fire department" the words "recognized by city council".

That the words and figures "One Thousand Dollars (\$1,000.00)" in line 30 be stricken out and the words and figures "Seven Hundred Fifty Dollars (\$750.00)" be inserted in lieu thereof.

That Section 5 be amended by striking out all of line 24 and inserting in lieu thereof the words "recommended by the State Auditor and approved by State Examiner."

That Section 6 be amended by inserting in sub-title No. 2, after the word "life" by striking out the period and inserting the words "in line of duty" followed by a period.

That Sub-title No. 3 be amended by striking out the period after the word "injury" and that the words "in line of duty" followed by a period be inserted.

Sub-title No. 4 be amended by striking out the period after the word "sickness" and that the words "in line of duty" followed by a period be inserted.

That Sub-title No. 6 be amended by striking out the words "or gratuitous."

That Section 11 be amended by inserting after the word "departments" in line 13 the words "together with the volunteer fire department or departments recognized by the city or town council".

That Section 12 be amended in line 12 by inserting after the word "bond" the words "of not less than double the amount of all funds and securities in the hands of said treasurer."

That the word "fixed" at the end of line 13 be stricken out and the words "approved and paid for" be inserted in lieu thereof.

That the word "he' 'in line 16 be stricken out and the words "the State Examiner" inserted in lieu thereof.

Committee on Counties and Towns amendments:

That Section 14 of H. B. No. 95 be amended in line 16 by striking out the word "or" following the comma after the word "retire" and in lieu thereof the word "and" be inserted.

That line 17 be amended by striking out the words "or hereafter shall do."

That line 20 be amended by placing a period after the word "exists" and striking out all of the remainder of said line, together with the words "titled to such pension" in line 21.

Amend line 22 by striking out the word "Above."

That Section 17 be amended in Sub-title 2 by striking out the period after the word "disabled" and inserting in lieu thereof "in line of duty" followed by a period.

That Sub-title 3 be amended by striking out the period after the word "injury" and inserting in lieu thereof the words "in line of duty" followed by a period.

That Sub-title 4 be amended by striking out the period following the word "sickness" and that the words "in line of duty" followed by a period be inserted in lieu thereof.

That Sub-title 6 be amended by striking out the words "or gratuities and, as amended, the bill be concurred in.

Committee on Counties and Towns report that H. B. No. 266 be amended as follows:

Amend by adding a new section to be known as Section 2, which shall read as follows:

"Section 2. The State Examiner is hereby authorized to cause the salary warrant of the County Clerk of any county to be withheld from said officer until he has complied with the provisions of this section."

Section 2 of the engrossed bill be renumbered Section 3 and Section 3 be renumbered Section 4, and, as amended, it be concurred in.

Committee on Military Affairs report that H. B. No. 178 be amended in Section 1 by inserting the word "further" after the word "provided" in line 30 on page 1, and, as amended, it be concurred in.

Committee on Federal Relations report that H. B. No. 256 be concurred in.

Committee on Counties and Towns report that H. B. No. 175 be concurred in.

Committee on Sanitary Affairs report that H. B. No. 262 be concurred in, and that H. B. No. 193 be concurred in.

Committee on Military Affairs report that H. B. No. 247 be referred to Judiciary Committee.

Committee on Military Affairs report that H. J. R. No. 5 be concurred in and that H. B. No. 199 be concurred in, also that H. B. No. 154 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 24, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 81, introduced by Moss, was this day read three several times, title and history agreed to, concurred in as amended, and bill is herewith transmitted to the House for concurrence in Senate amendments:

Committee on Privileges and Elections amendment:

Strike out the word "elect" in line 12, page 1, of the engrossed bill and insert the word "nominate" in lieu thereof.

Insert the words "elect their" before the word "delegates" in line 2, section 2.

Committee of the Whole amendments:

That H. B. No. 81 be amended in Section 3 by adding after the word 'committeemen' in line 7 of the printed bill the following:

"In the event there is no county central committee in any county, the state central committee of the political party having no county central committee in said county shall appoint a county central committee therein and said county central committee shall have the same powers and duties as county central committee selected as now provided by law."

Section 4, by inserting a period after the word "proceedings" in line 3 of the printed bill and by striking out the remainder of the sentence following said word "proceedings", and inserting in lieu thereof the following sentence, viz: "No proxy shall be recognized unless held by an elector of the precinct of the committeeman executing the same."

Section 4: By inserting after the word "Committeeman" in line 4 of the printed bill the following: "and his duly appointed proxy." Line 28, page 2, of the engrossed bill, the words "to the depositions aforesaid" and insert in lieu thereof the words "as delegates to the National Convention of said party; and certificates of nomination for presidential electors for said party which shall be filed with the Secretary of State." Strike out all of Section 9.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 24, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 4, introduced by Besancon and Marshall was this day read three several times, title and history agreed to, and concurred in as amended. Bill is herewith transmitted to the House for concurrence in Senate amendments:

Committee on Banks and Banking amendments:

Page 4, line 8: Strike out the word "subordinate."

Page 6, line 13: Strike out the word "other."

Page 6, line 16: Add to this section the following sentence: "Meetings of the Board of Directors must be held at least once each month."

Page 8, line 10: Strike out word "subordinate."

Page 8, line 26: Strike out the words "the legal rates of interest", and substitute the words "Ten (10) per centum."

Page 9, line 18: Substitute a period for the semi-colon after the word "stock". Beginning with the word "provided", strike out the remainder of the paragraph and substitute the following sentence: "Applications for withdrawals are to be registered on the books of the association in the order received and after outstanding contracts have been provided for, at least one-half of the collections made by the association must be used for the payment of the withdrawals in the order received; provided, however, that if application for withdrawal are six months old, all collections must be used for payment."

Committee of Whole amendments:

That H. B. No. 4 be amended in Section 12 by striking out in line 45 of the printed bill all of said line after the word "fixtures" and by striking out all of lines 46 and 47 following.

Page 10, line 12, strike out the word "three" and substitute the word "five".

Page 10, line 26: Strike out Subdivision 13, Section 12, and substitute the following: "To make loans to members on the security of shares of the association and also on their notes secured by first mortgages on improved real estate, including suburban homes, but not on farm lands or mining property, for not to exceed sixty-five per centum of the actual value of such real estate and upon such terms and conditions as may be

provided in the Constitution and by-laws; provided, however, that in all cases where the promissory note, or other written evidence of the loan made by any building and loan association requires the payment of said loan, or the total aggregate sum of principal and interest in periodic installments, said promissory note, or other written evidence of debt shall specifically state the actual interest rate charged the borrower upon the unpaid balance of the principal amount at each periodic payment; provided, further, that when the note or other evidence of debt does not require the payment of said loan in periodic installments, the note or other evidence of debt shall specifically state the actual rate of interest to be charged the borrower.

Provided, however, that in all notes and mortgages now in force which do not specify the actual rate of interest charged the borrower upon the unpaid balance of the principal at each periodic payment, all payments made on the said notes must be distributed by crediting the same, first, upon the interest on the unpaid balance of the loan at the rate actually earned under the terms of the notes and mortgages, and the remainder upon the principal of the loan, and no charges or deductions from any of said periodic payments shall be permitted by any such association not specifically provided for in said promissory note or other evidence of such loan."

Page 12, line 4: After the word "interest" insert the words "premium and fines for delinquent payments."

Page 12, line 5: After the word "less" insert the words "Payments on principal".

Page 12, lines 6 and 7: Strike out the sentence "He shall pay, also any fines or other assessments required by the constitution and by-laws."

Section 16 by striking out in line 4 of the printed bill the words "and the superintendent of bank" following the word "directors".

Page 14, line 23: After the word "soliciting" insert the words "loans and /or". After the word "stock" strike out the words "or loans"

Page 14, line 25: After the word "solicit" insert the word "Loans". After the first "and" insert the character and word "/or". After the word "stock" strike out the words "or loans".

Page 14, line 27; After the word "solicit" insert the words "loans and /or".

Page 14, line 28: After the word "stock" strike out the words "or loans".

Page 15, line 9: After the first "the" insert the words "solicitation of loans and /or the."

Section 20 by striking out the entire section.

Section 24 by striking out in line 3 of the printed bill the first word "accounts."

Page 18, line 26, as follows: Strike out the word "or" and substitute the word "on".

Section 26, by striking out in line 3 of the printed bill the word "negligent" and the words "reckless or incompetant" and by striking out in line 6 of the word "negligence" and by striking out in line 7 the words "recklessness or incompetency".

Strike out all of Section 27.

Page 26, line 1: In the caption strike out the words "Trust Deposits" and substitute the word "Trusts".

Page 26, line 9: In the caption strike out the word "Deposit" and substitute the words "Shares Held."

Section 46: By striking out all of said section and inserting in lieu thereof the following:

"Whoever, being the superintendent of banks, a deputy, assistant or clerk in his employ or an examiner, fails to keep secret the facts and information obtained in the course of an examination, or by reason of his official position, except when the public duty of such officer requires

him to report upon or take official action regarding the affairs of the association so examined, or wilfully makes a false official report as to the condition of such association, shall be removed from office and shall be fined not more than five hundred dollars or, imprisoned in the penitentiary not less than two years nor more than five years, or both. Nothing in this section shall prevent the proper exchange of information relating to building and loan associations and the business thereof, with the representatives of building and loan departments of other states, but in no case shall the private business or affairs of any individual, association or company be disclosed.

Page 26, lines 30 and 31: After the word "account" strike out the words "and no such association shall receive any savings account".

Page 26, line 31, after the word "or" insert the word "receive".

Section 48: By striking out in line 17 of the printed bill the last three words thereof and by striking out lines 18, 19 and 20.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the House recess until 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 4, introduced by Griffin, respectfully report as follows: That Senate Joint Memorial No. 4 be concurred in.

SPARLING, Vice-Chairman."

On motion of Sparling, report adopted.

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Resolution No. 8, introduced by Pauline and Tower, respectfully report as follows: That Senate Joint Resolution No. 8 be concurred in.

SPARLING, Vice-Chairman."

On motion of Sparling, report adopted.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion duly made and seconded, the request by the House for the recall of Senate Bill No. 52 was this day granted and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion duly made and seconded, the Senate refused to concur in House amendments to Senate Bill No. 26 and asked that a Conference Committee be appointed to act with a like committee to be appointed by the House to consider said amendments. Thereupon, the President appointed the following Senators: Eaton, Smith, Goodman.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the request of the Senate be granted and the Speaker appoint a conference committee to act with a like committee from the Senate for consideration of House amendments to Senate Bill No. 26.

Whereupon the Speaker appointed the following as members of the conference committee: Jameson of Yellowstone, Dougherty of Ravalli, Marshall of Missoula.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders under the rules that on discussion of the main bill proponents and opponents of bills be allowed to talk ten minutes and others five minutes; that on amendments, proponents and opponents be allowed to talk five minutes and others three minutes, with no trading of time; that each member be allowed to talk only once, except proponents and opponents; that bills be read by history, title and section numbers only, except upon request of one member to have certain sections read at length.

Mr. Harris in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration, Senate Bills Nos. 57, 113, 114, 85, Substitute for Senate Bill No. 5, Senate Bills Nos. 77, 100, 108, Senate Amendments to House Bill No. 4, Senate amendments to House Bill No. 81, Senate Bills Nos. 53, 128, respectfully report as follows:

That consideration of Senate Bills Nos. 57, 113 and 114 be passed for the day.

That Senate Bill No. 85 be amended as follows:

Section 1: By adding at the end of line 6, of engrossed bill, the following: "The oil producer's license tax and all other license taxes determined by the State Board of Equalization."

And that as so amended said bill be concurred in.

That Substitute for Senate Bill No. 5 be concurred in.

That Senate Bill No. 77 be concurred in.

That Senate Bill No. 100 be concurred in.

That Senate Bill No. 108 be concurred in.

That Senate amendments to House Bill No. 4 be not concurred in and request a conference committee.

That consideration of Senate amendments to House Bill No. 81 be passed for the day.

That Senate Bill No. 53 be concurred in.

That Senate Bill No. 128 be concurred in.

HARRIS, Chairman."

On motion of Harris, report adopted.

Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 99, 177, 220 and 306.

WAITE, Chairman."

The Speaker gave notice that he was about to sign Senate Bill No. 49, Senate Bill No. 68, Senate Bill No. 93, Senate Joint Memorial No. 3, Senate

Joint Resolution No. 6, House Bill No. 99, House Bill No. 127, House Bill No. 220, House Bill No. 306 and thereupon signed said bills.

There being no objections House reverted to Order of Business No. 8.

THIRD READING OF SENATE BILLS

Substitute for Senate Bill No. 5, introduced by Livestock Committee, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Benjamin, Barry, Bonine, Bricker, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Curran, Darlinton, Donaldson, Doran, Dunn, Erickson, Flachsenhar, Fulsher, Green (Fergus), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Ravalli), Knight, Larson, Leavens, Lillis, Logan, McLeod, Moulton, Murphy, Nelson, Nicholson, Plank, Plumer, Reed, Rife, Rockwood, Shields, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tierney, Troy, Waite, Westlake, White, Woodcock, Mr. Speaker. Total—55.

Noes: Abrahamson, Adair, Ballard, Besancon, Brown, Budas, Cooney, Foot, Hardcastle, Jones (Cascade), Kelly, Kroman, Lamb, Leavitt, McCleary, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Mulholland, Nelstead, Prescott, Rognlien, Rorvik, Ryder, Sample, Thorburn, Warren, Willard. Total—29.

Absent and not voting: Akofer, Arnold, Benson, Bretzke, Chatham, Dellwo, Dougherty, Goodwin, Green (Dawson), Johnson, Jones (Phillips), Knowles, Lowry, Merritt, Moss, Nagle, O'Day, Tinsley. Total—18.

Moved by Clarke, duly seconded, that Senate Bill No. 53 be laid on the table.

The motion was lost by the following vote, roll call being demanded:

Ayes: Abrahamson, Arnold, Benson, Besancon, Budas, Cheadle, Clarke, Curran, Darlinton, Dougherty, Erickson, Foot, Flachsenhar, Harris, Hodgskiss, Holton, Larson, Leavitt, Marshall, Miller (Fergus), Nicholson, Plank, Rockwood, Rorvik, Ryder, Sample, Sparling, Stambaugh, Steeves, Sutton, Warren. Total—31.

Noes: Adair, Akofer, Ballard, Benjamin, Barry, Bonine, Bricker, Brown, Burke, Burns, Cavanaugh, Clausen, Cooney, Donaldson, Doran, Dunn, Fulsher, Green (Fergus), Hagerty, Hardcastle, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Leavens, Lillis, Logan, McCleary, McLeod, Mason, Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, O'Day, Prescott, Reed, Rife, Rognlien, Shields, Thorburn, Throssel, Tierney, Troy, Waite, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—57.

Absent and not voting: Bretzke, Chatham, Dellwo, Goodwin, Green (Dawson), Gustafson, Jones (Phillips), Knowles, Lowry, Merritt, Moss, Nagle, Plumer, Tinsley. Total—14.

Senate Bill No. 53, introduced by Dowlin, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Adair, Akofer, Ballard, Benjamin, Barry, Bonine, Bricker, Brown, Burke, Burns, Cavanaugh, Cooney, Donaldson, Doran, Dunn, Fulsher, Green (Fergus), Gustafson, Hagerty, Hardcastle, Jameson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Leavens, Logan, McCleary, McLeod, Mason, Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, O'Day, Plumer, Prescott, Rife, Rognlien, Shields, Thorburn, Tierney, Troy, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—51.

Noes: Abrahamson, Benson, Besancon, Budas, Cheadle, Clarke, Clausen, Curran, Darlinton, Dougherty, Erickson, Foot, Flachsenhar, Harris, Hodgskiss, Holton, Jensen, Johnson, Knowles, Larson, Leavitt, Marshall, Miller (Fergus), Nicholson, Plank, Reed, Rockwood, Rorvik, Ryder, Sample, Sparling, Stambaugh, Steeves, Sutton, Tinsley, Warren. Total—36.

Absent and not voting: Arnold, Bretzke, Chatham, Dellwo, Goodwin, Green (Dawson), Jones (Phillips), Kroman, Lillis, Lowry, Merritt, Moss, Nagle, Throssel, Waite. Total—15.

Senate Bill 77, introduced by Judiciary Committee, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benson, Barry, Besancon, Brown, Burke, Cavanaugh, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Flachsenhar, Fulsher, Hagerty, Hardcastle, Holton, Jameson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Lamb, Leavens, Leavitt, Logan, McCleary, Mason, Mulholland, Murphy, Nagle, Nelstead, O'Day, Plank, Prescott, Reed, Rife, Shields, Steeves, Tierney, Tinsley, Warren, White, Willard, Mr. Speaker. Total—51.

Noes: Bonine, Budas, Cheadle, Clarke, Dougherty, Erickson, Foot, Green (Fergus), Harris, Hodgskiss, Jensen, Larson, Marshall, Miller (Fergus), Miller (Lincoln), Moulton, Nelson, Nicholson, Plumer, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Sutton, Westlake, Woodcock. Total—28.

Absent and not voting: Benjamin, Bretzke, Bricker, Burns, Chatham, Dellwo, Dunn, Goodwin, Green (Dawson), Gustafson, Johnson, Jones (Phillips), Kroman, Lillis, Lowry, McLeod, Merritt, Moss, Sample, Thorburn, Throssel, Troy, Waite. Total—23.

The Speaker gave notice that he was about to sign Senate Bill No. 68, Senate Bill No. 93, Senate Bill No. 97, Senate Bill No. 62, and thereupon signed the said bills.

Senate Bill No. 85, introduced by Kemmis, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Logan, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—82.

Noes: None.

Absent and not voting: Besancon, Bretzke, Burns, Chatham, Dellwo, Dougherty, Goodwin, Green (Dawson), Gustafson, Jones (Phillips), Knowles, Lillis, Lowry, Merritt, Moss, Murphy, Nagle, Sparling, Troy, Warren. Total—20.

Senate Bill No. 100, introduced by Judiciary Committee, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bricker, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Sample, Shields, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: None.

Absent and not voting: Barry, Bretzke, Brown, Chatham, Dellwo, Dougherty, Goodwin, Green (Dawson), Johnson, Jones (Phillips), Knowles, Lowry, Merritt, Moss, Rorvik, Ryder, Sparling, Troy, Warren. Total—19.

Senate Bill No. 108, introduced by Kemmis, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Besancon, Bonine, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Gustafson, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—79.

Noes: Plumer. Total—1.

Absent and not voting: Akofer, Benson, Barry, Bretzke, Bricker, Brown, Chatham, Dellwo, Goodwin, Green (Dawson), Hagerty, Hardcastle, Jones (Phillips), Knowles, Lowry, Merritt, Moss, Reed, Ryder, Shields, Steeves, Warren. Total—22.

Senate Bill No. 128, introduced by Church, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Bonine, Bricker, Brown, Budas, Burns, Cavanaugh, Cheadle, Clarke, Cooney, Curran, Darlinton, Burke, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Gufstafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Westlake, Willard, Woodcock, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting. Akofer, Barry, Besancon, Bretzke, Chatham, Clausen, Dellwo, Dougherty, Goodwin, Green (Dawson), Jones (Phillips), Knowles, Leavens, Lowry, Merritt, Moss, Reed, Ryder, Shields, Warren, White. Total—21.

The Speaker at this time announced the appointment of the following conference committee to act with a like committee from the Senate for consideration of Senate amendments to House Bill No. 4: Waite of Powder River, Nelstead of Carter, Besancon of Missoula.

At the request of Leavitt, there being no objections, House reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The following report was received from the special committee appointed to investigate gasoline prices in Montana:

"Mr. Speaker: We, your special committee appointed to investigate prices of gasoline in the State of Montana, pursuant to the provisions of House Resolution No. 4, beg leave to submit the following report:

First: Your committee in conference with a like committee from the Senate called before it witnesses who are engaged in both the refining and retail gasoline business in the State of Montana, and heard the testimony of these witnesses under oath concerning the prices of gasoline in the State of Montana and outside points.

Your committee, however, by reason of the enormous task involved, and of the shortness of time in which the committee had to act and report, have been unable to investigate to any very great extent the cost of refining gasoline in the State of Montana, and elsewhere, and we assume, without affirming, that the refiners of the State of Montana have given us the correct information with reference to the elements and items which go to make up the cost price of refining gasoline in the State of Montana. We were unable to go into the proposition further than the oral testimony of the witnesses with reference to these items which make up the cost of refining gasoline because we did not have at our disposal the books of the refining companies and other sources of information. Such information could have been obtained had this committee more time at its disposal and had this committee the resources and power to compel the production of books and other factors which enter into the cost of gasoline at the refinery.

We wish to state, however, that the refining companies did not refuse to open their books and their representatives willingly submitted to such examination as were able to make, but your committee was unable, by reason of the shortness of time at our disposal to undertake the task of going through their books and making up a report on the cost price of gasoline therefrom. Your committee, however, was able to obtain some information which we will submit to the House in connection with the items entering into the cost price of gasoline in Montana and in relation to the distribution thereof.

From the evidence taken upon the hearing your committee finds the following to be the facts:

First: That there are approximately fifteen refineries in the State of Montana which are located at Butte, Kalispell, Great Falls, Lewistown, Sunburst, Shelby, Missoula, Hedgesville, Miles City and possibly one or two other small places, which refineries with the exception of those located at Butte, together with certain non-resident operating companies belong to and are members of an association consisting of refiners, jobbers and retailers of Montana.

Second: The retail price of gasoline in Montana at the time of the commencement of this investigation, except in the City of Butte, varied between 25½ cents at Kalispell and Bozeman, and 33 cents at Circle, Montana. The price at Lewistown, Helena, and other central points in Montana was 27 cents. The price at Butte was 22 cents per gallon.

Third: According to the testimony offered by the refiners, the retail price of 27 cents per gallon is made up of the following items; freight from point of refining to point of retailing is fixed at the arbitrary sum of 3.8 cents per gallon; gasoline tax 3 cents per gallon; wholesale or jobbers margin 4.5 cents per gallon; retailers margin or profit 2 cents per gallon; which items total 13.30 cents per gallon, being the cost of distribution of the refined product when sold upon the basis of 27 cents per gallon. The above sum deducted from the retail price of gasoline, leaves the sum of 13.70 per gallon which is called the net back to the particular refinery. By reason herein indicated we were unable to go into the question as to the total cost of producing a gallon of gasoline sufficiently to determine what percentage of profit is contained in the net back. It would be necessary in order to accurately determine the percentage of profit contained in the net back to the refinery to call many witnesses, in addition to gaining information from the books of the respective refineries.

Fourth: The wholesaler and jobber handling gas in Montana, excepting in Butte, is allowed a margin of not less than 4.5 cents for each gallon handled by him and the retailer is allowed a margin of 2 cents a gallon over that allowed the jobber or the total spread on a gallon of gasoline between the refiner and the dealer is not less than 6½ cents per gallon.

Fifth: Montana has a higher freight rate on a gallon of gasoline shipped into the State than any other state in the northwest. North Dakota enjoys a lower freight rate from the Tulsa field, and Washington and Idaho have a lower freight rate from the California field. Montana has a

higher freight rate on its gasoline from Tulsa, Oklahoma, than either of the Dakotas, Wyoming, Idaho or Washington. The freight rate into Minneapolis from the Tulsa field is approximately one-fourth of the freight rate into Montana from the same point. The evidence does disclose, however, that the freight rate from Casper, Wyoming, to many points in Eastern Montana is the same as that to many points in the western part of the Dakotas. It is a fact, however, that the freight rates into Montana on gasoline are discriminatory.

Sixth: The price of gasoline in Montana, except at Butte, according to all of the witnesses, is established by the price charged to the retailers by the importer. Your committee is not to be understood as saying that the importer actually fixes the price except on their own product. We do wish to state, however, that all refiners or retailers in the State of Montana follow the price established by the importer, except in Butte. The evidence of some of the witnesses is that this price is established either at Casper, Wyoming, or Denver, Colorado, but so far as this committee is concerned, it is immaterial where this price is established, the main point being that the price is established by the importer on its own products and all other concerns that sell gasoline in the State of Montana follow this price almost without exception, except the refiners and dealers in the City of Butte.

Seventh: The retailer who sells gasoline to the consumer in the State of Montana does not fix the price at which he buys, nor does he fix the price at which he sells. The testimony of all the witnesses retailing gasoline is to the effect that the price to the retailer is fixed by the jobber or refiner. The retailer is allowed a 2-cent margin and in order to continue in business he doesn't have the privilege of fixing the margin himself except of course he could sell it at a higher price, provided he could dispose of his product.

Eighth: The testimony of some of the witnesses is to the effect that the importer fixes the selling price of the gasoline in Montana, except in Butte. The reason given for this is that the cost price of his product plus freight is what governs the market in Montana.

Ninth: In the year 1926 the testimony discloses that there was forty-six million gallons of gasoline sold in Montana; that of the forty-six million gallons of gasoline sold, thirty-five million gallons was refined in Montana, and eleven million gallons was imported from outside sources. The local refineries, according to the evidence, do not compete with the importers, but they meet the importers price. The largest importer and the largest distributor in Montana is one and the same concern; it sells fifty percent or more of the gasoline sold in the State. The thirty-five million gallons of gasoline refined and sold in Montana by local refineries does not control the selling price in Montana, but the importation of eleven million gallons does. The same concern being the largest importer and distributor in the State, therefore, becomes the determining factor in setting the price and the price fixed by this importer is followed in practically all the places in Montana except Butte and possibly a few of the small places.

Tenth: The evidence further discloses that in the places where the local refineries are located they are distributing their gasoline locally at the same price that gasoline is being sold in some of the other parts of the State. As hereinbefore stated, a freight rate of 3.8 cents is charged to every gallon of gasoline where such gallon is sold at a price not to exceed 27 cents and this freight rate is charged to every gallon of gasoline sold locally, so that the fact that a refinery is located in a particular community does not in any way decrease the price of such gasoline at such point. This is not true however, at Butte, as the evidence discloses that the refineries at Butte do not include in their selling price any freight charge, as practically the entire production of these refineries is distributed and sold in the City of Butte.

Eleventh: The evidence discloses that the consumer in the City of Spokane is getting his gasoline for approximately 23 cents a gallon and

that the consumer in the State of North Dakota is buying his gasoline from 1½ cents to 1.7 cents per gallon under the Montana price.

Twelfth: The testimony of some of the witnesses is to the effect that the margin to the retail dealer of two cents a gallon is too narrow to permit the retail dealer to make any profit unless his business is of enormous volume.

Thirteenth: The testimony of most of the retailers was to the effect that as their business was confined wholly to the sale of gasoline, they would sustain a loss at the above margin. Some jobbers according to the testimony of the witnesses allow a little better margin to the retail dealers without however disclosing to the committee exactly what this excess margin was. Our conclusion from the testimony is that the retail dealer operating on a 2-cent margin is in no position to realize a material profit and that he isn't in a position to control either his buying or his selling price. The wholesaler or jobber in the State of Montana when he is the refiner, allows himself, or when he is an independent wholesaler or jobber, is permitted, under a mutual agreement to take a charge of not less than 4½ cents per gallon as a handling charge for gasoline in the State.

Fourteenth: The evidence discloses that the principal importer and some of the larger local refineries own and control their own wholesale and retail stations, or in other words they constitute the refiner, wholesaler or jobber and retailer; that the larger importers and refiners in the State have their service stations in practically every point of any size in the State. In these instances, the refiner enjoys the original profit embraced in the net back if any, and they likewise enjoy the wholesale or jobber's profit and whatever profit there is to the retailer.

Fifteenth: The local refineries contend that a decrease in the price of gasoline in Montana would force many of them out of business. As to this contention as before stated, we did not have sufficient time and resources at our command to enable us to go into the matter sufficiently to form a conclusion and we are not in a position therefore to either refute or concede the contention.

Sixteenth: The evidence disclosed that the price of gasoline in Butte, during the period covered by this investigation was approximately 22 cents. The evidences further discloses that there are two local refineries in Butte, and that practically their entire output is consumed at that point. The evidence further discloses that when these refineries commenced business that they sold their products without adding a freight charge and eliminated the retail profit. The evidence further discloses that some of the large importers of gasoline and the larger refineries of the State of Montana are selling gasoline in Butte and are meeting the price of the competitive market.

We are advised and the testimony so shows that a number of the refineries in the State of Montana have not paid the two-cent gasoline tax. A list of these refineries is contained in the testimony. The contention of the refineries is that they did not collect this tax and the contention on the part of the State is that the tax was collected and not returned. We refuse at this time to comment on this proposition because a question of law is involved which will require the determination of the court. We do know this, however, that the refineries which did not pay the tax sold the gasoline at approximately the same price as other retailers, excepting in the City of Butte. If they did collect the tax, then the two cents was an additional profit which they have collected and which the people of Montana have paid and which your committee thinks was an excessive charge in view of the fact that the public thought, or had the right to think, that the extra two cents was going to the State to be expended on the roads.

With reference to the price cutting in the City of Butte, your committee from the evidence at hand, isn't advised as to who began the price cutting. More evidence would be needed on this point if it were a very material consideration from the standpoint of the consumer.

We recommend that the evidence taken at this hearing be made a part of this report, and your committee hereby offers the same as a part of this report, and we recommend that this evidence be not incorporated in the Journal, but that the original copy thereof be filed in the office of the Attorney General, and a second copy thereof be filed with the Railroad Commission of the State of Montana with the recommendation that the Railroad Commission with this testimony and such other testimony as they may deem favorable for the purpose of presenting to the Interstate Commerce Commission a request that Montana be granted a more favorable rate from outside points into Montana on gasoline and a more favorable rate from points in Montana to other points in Montana on gasoline.

Respectfully submitted,

W. B. LEAVITT."

Moved by Leavitt, duly seconded and carried, that the report be adopted.

"Mr. Speaker: The undersigned, as a member of your Special Committee, begs leave to submit the following in supplementary to the foregoing report:

The matter set forth in the report of the chairman finds support in the evidence introduced at the hearing, but from this evidence the undersigned respectfully disagrees with the conclusions of the chairman and is led to the following conclusions:

1. That the price of gasoline in Montana is governed by the following factors, namely:

(a) the cost of manufacture, (b) the cost of transportation, (c) the cost of distribution, and the margin of profit.

2. That the evidence introduced and the report of the chairman would seem to indicate that the margin of profit to the refiner, the distributor and the marketer, is not excessive when compared with the profit on other commodities of general consumption. The Butte situation, by reason of local conditions, affords no criterion for the determination or establishment of a price structure in other portions of the State.

3. That a certain percentage of the gasoline used in the State is imported and distributed by foreign distributors, and that such imported gasoline of necessity fixes the price structure in the State; for the foreign distributor markets gasoline on the basis of cost of product plus cost of transportation plus cost of distribution plus profit with the present result that the Montana refiner and marketer has the option of meeting this selling price, or of selling at higher or lower figure. The natural result being that the price is met.

Lastly, it is the conclusion of the undersigned, that the price of gasoline in Montana cannot be materially reduced until a greater production of oil is obtained in Montana with the result that Montana refiners will be enabled to install larger and more efficient plants, thereby, reducing refining cost and increasing gallonage, this forcing all imported gasoline to be sold at a price, which will compete with the Montana product. These conditions cannot be brought about by investigation or legislation but must result from conditions over which legislative assemblies have no control.

Respectfully submitted,

R. S. O'DAY."

Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 165 and Sub. 218.

WAITE, Chairman."

The Speaker gave notice that he was about to sign House Bill No. 165 and Sub. for H. B. No. 218 and thereupon signed same.

There being no objections House reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The following report of select committee was received:

"To the Speaker of the House and President of the Senate:

We, your Conference Committee, having had under consideration Senate Substitute for House Bill No. 22, being a bill for an Act entitled: "An Act making it unlawful to sell, give away, or dispose of intoxicating liquor to a minor, prescribing punishment therefor, defining intoxicating liquor, and repealing Chapter 39 of the Acts of the Eighteenth Legislative Assembly of the State of Montana", report and recommend as follows: That the House recede from its amendment striking out the last sentence of Section 1 of the bill, which reads as follows: "Nothing herein contained shall prohibit the furnishing of intoxicating liquor to minors upon any physician's prescription where authorized by the laws of the United States nor the furnishing of wine for sacramental purposes", and that said sentence be and remain in said bill as a part thereof. And your committee further recommend that the Senate concurs in the amendment made by the House in striking out of Section 2 of the bill the words "more than" in line 1 of page 2 of the engrossed bill.

House Conference Committee: CAVANAUGH, Chairman.
JAMESON.
NAGLE.

Senate Conference Committee: DUNCAN.
EATON.
BERGSTROM.

The above report was adopted by the following vote:

Ayes: Abrahamson, Adair, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—88.

Noes: None.

Absent and not voting: Akofer, Arnold, Bretzke, Burke, Chatham, Dellwo, Green (Dawson), Gustafson, Jones (Phillips), Knowles, Lowry, Merritt, Moss, Waite. Total—14.

At the request of Adair, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Adair, duly seconded and carried, that House Rule No. 35 be suspended for the purpose of introducing a bill for a referendum measure relative to the income for the Greater University.

The Speaker referred the motion to the Rules Committee, they to report back to the House within twenty-four hours.

Moved by Bricker, duly seconded and carried, that the House adjourn until 11:00 A. M., Saturday, February 26, 1927.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

FIFTY-FIFTH DAY

House of Representatives,
Helena, Montana, February 26, 1927.

House convened, pursuant to adjournment at 11:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all members present except: Bretzke, excused; Lowry, excused.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifty-fourth legislative day, find the same to be correct.
G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

At the request of Moulton, the Speaker excused the Committee on Petroleum, Oil and Gas Affairs for a few minutes.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 313, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 313 do not pass and that substitute for House Bill No. 313 do pass.
REED, Chairman."

On motion of Reed, report adopted.

There being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced, read first time by title, second time at length and referred to the following standing committee:

Substitute for House Bill No. 313, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance for the teaching units of the Greater University of Montana, and students' railroad refund for the period beginning July 1st, 1927, and ending June 30, 1929." Referred to Printing Committee.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Governor:

Helena, Montana, February 25, 1927.

"The Speaker, House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 67—Appropriation for payment of deficiency claim of H. J. Hammill.

H. B. No. 77—Appropriation from Industrial Accident Fund to pay claim of Martha B. Williams.

H. B. No. 84—Prohibiting the leaving of earth, rock, or other hard substances on railway tracks at intersection of highways.

H. B. No. 127—Relating to return of sale of real estate under a decree of court.

H. B. No. 145—Relating to powers of the County Board to equalize assessments.

H. B. No. 179—Appropriation authorizing purchase of fire extinguishers for the State Capitol.

H. B. No. 204—Relating to regulation of the practice of optometry.

H. J. R. No. 4—Requesting railway companies operating in Montana to make repairs on rolling stock, wherever possible, by employment of workmen in Montana.

J. E. ERICKSON, Governor."

Moved by Bricker, duly seconded and carried, that the following communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 107 was this day read three several times and concurred in as amended, title and history agreed to, and same is herewith returned to the House for concurrence in Senate amendments:

Committee on Roads and Highways amendment:

Amend by striking out in lines 4 and 5 the following:

"As amended by Chapter 107, Laws of the Eighteenth Legislative Assembly, 1923."

Amend by striking out in lines 11 and 12 the following: "as amended by Chapter 107, Laws of the Eighteenth Legislative Assembly, 1923". Amend Section 1, Subdivision 4, line 4, by inserting after the word "deputy" the words "at a salary of not to exceed \$3,000."

Amend Section 1, Subdivision 4 line 4, by inserting after the word "clerk" the words "at a salary not to exceed \$150.00 per month."

Committee of Whole amendment:

That H. B. No. 107 be amended in Section 1 by striking out in line 28, page 2, the words "tenth and".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 266 was this day read three several times and concurred in as amended, title and history agreed to, and same is herewith returned to the House for concurrence in Senate amendments:

Committee on Counties and Towns amendment:

Amend by adding a new section to be known as Section 2, which shall read as follows:

"Section 2. The State Examiner is hereby authorized to cause the salary warrant of the County Clerk of any county to be withheld from said officer until he has complied with the provisions of this section."

Section 2 of the engrossed bill be renumbered Section 3 and Section 3 be renumbered Section 4.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 229 was this day read three several times and concurred in as amended, title and history agreed to and same is herewith returned to the House for concurrence in Senate amendments:

Committee of the Whole amendment:

That H. B. No. 229 be amended in Section 2 by striking out in line 2 the words "any county in".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 199 was this day read three several times and concurred in as amended, title and history agreed to, and same is herewith returned to the House for concurrence in Senate amendments:

Committee of the Whole amendment:

That H. B. No. 199 be amended in Section 1 by striking out in line 1 the word "said", and by inserting after the word "pay" in line 3 of the printed bill the following words and marks of punctuation: ", Out of the interest on investments made with the money which remained of a fund appropriated by the U. S. Government on June 25, 1908, to pay the Montana National Guard from the time of call until muster into the service of the United States for the Spanish American War".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 178 was this day read three several times and concurred in as amended, title and history agreed to, and same is herewith returned to the House for concurrence in Senate amendments:

Committee on Military Affairs:

Amend in Section 1 by inserting the word "further" after the word "provided" in line 30 on page 1.

Committee of Whole amendment:

Amend in Section 1 by inserting in line 20 the words "or county" after the word "town".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Substitute House Bill No. 85 was this day read three several times and concurred in as amended, title and history agreed to, and same is herewith returned to the House for concurrence in Senate amendments:

Committee on Counties and Towns amendments:

Amend by striking out the title and inserting in lieu thereof the title: A Bill for an Act entitled: 'An Act relating to delinquent taxes and special assessments of cities and towns, in which cities or towns the City Treasurer collects the taxes so as to provide that all delinquent taxes and assessments shall be certified to the County Treasurer and that such delinquent taxes and assessments shall be included by the County Treasurer in all tax sales made by him'.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day, by recommendation of standing committees, not concurred in and same are herewith returned to the House.

Judiciary Committee: H. B. No. 217 by Hodgskiss.

Judiciary Committee: H. B. No. 247, by White, Leavens and Jones.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House bills were upon recommendations of standing committees, not concurred in, and same are herewith returned to the House.

Judiciary Committee: H. J. R. No. 8.

Judiciary Committee: H. B. No. 109.

Judiciary Committee: H. B. No. 235.

Judiciary Committee: H. B. No. 243.

Judiciary Committee: H. B. No. 287.

Judiciary Committee: H. B. No. 291.

Judiciary Committee: H. B. No. 296.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House bills were this day read three several times, and concurred in, title agreed to, and same are herewith returned to the House:

House Bill No. 150; House Bill No. 154; House Bill No. 175; House Bill No. 188; House Bill No. 193; House Bill No. 198; House Bill No. 216; House Bill No. 234; House Bill No. 241; House Bill No. 256; House Bill No. 262; House Bill No. 269; House Bill No. 289; House Bill No. 305; House Joint Resolution No. 5.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee, having had under consideration House amendments to Senate Substitute for House Bill No. 22, report as follows, and on roll call, the report was adopted:

That the House recede from its amendment striking out the last sentence of section of the bill, which reads as follows: "Nothing herein contained shall prohibit the furnishing of intoxicating liquor to minors upon any physician's prescription where authorized by the laws of the United States nor the furnishing of wine for sacramental purposes", and that said sentence be and remain in said bill as a part thereof.

The committee further recommend that the Senate concurs in the amendment made by the House in striking out of Section 2 of the bill the words "more than" in line 1 of page 2 of the engrossed bill.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the standing committees have this day reported as follows:

Committee on Agriculture's amendments to House Bill No. 61;

Amend the title to read as follows: "An Act relating to the testing of scales; authorizing the employment of a state scale expert and deputies, and defining their powers and duties; providing fees for testing scales; prohibiting the use of any weighing device condemned or rejected; creating a contingent revolving fund to defray the expenses of the state scale expert and his deputies; providing penalties for the use of weighing devices, which have not been tested as required by this act and for making false tests and for other violations of the provisions of this act, and repealing Section 3575 of the Revised Codes of Montana of 1921, and all Acts and parts of Acts in conflict herewith."

Amend by striking out the word "over" in line 3 of Section 2 of the original bill and inserting the words "and over" in the same line after the word "pounds";

That the figure "\$1.00" be stricken out in line 6 of Section 2 and the following words inserted thereafter: "used for weighing or testing grain in grain elevators or warehouses, \$1.00";

That Section 3 of the original bill be stricken out in its entirety;

That Sections 6 and 7 of the original bill be stricken out in their entirety.

That the following words in line 3 of Section 8 be inserted after the word "weight", "or shall use any weighing device that has been condemned or rejected until the same has been sealed" and by striking out the rest of the sentence after the word "misdemeanor";

Amend by adding to Section 8 the following paragraph:

"The Department of Agriculture may grant permission for the use of a weighing device until the inspection can be made (without causing too great expense) as provided by this Act";

That after the word "misdemeanor" in line 3 of Section 9, the entire mainder of the Section be stricken out, and, as amended, it be concurred in.

Committee on Finance and Claims report that House Bill No. 309 be amended by inserting a section to be known as Section 3 to read as follows:

"Section 3. The money herein appropriated by the provisions of this act shall not be paid to the said Andy Briscoe, until the said Andy Briscoe shall have first filed with the State Board of Examiners a release in full of all claims made by him against the State of Montana, other than and in excess of the sum of money herein appropriated for the payment of his claim against the State of Montana, provided for in the foregoing provisions of this Act."

Amend by striking out the figure "3" in line 28 and inserting in lieu thereof the figure "4", and, as so amended, the bill be concurred in.

Committee on Fairs and Expositions amendment to House Bill No. 267:

Amend by inserting after the word "through" in line 14 of the engrossed bill the following words "the exposition exhibits committee of", and, as amended, it be concurred in.

Committee on Finance and Claims report that H. B. No. 283 be concurred in.

Committee on Judiciary report as follows:

That H. B. No. 291 be not concurred in.

That H. B. No. 296 be not concurred in.

That H. B. No. 109 be not concurred in.

That H. B. No. 116 be not concurred in.

That H. B. No. 287 be not concurred in.

That H. J. R. No. 8 be not concurred in.

That H. B. No. 243 be not concurred in.

That H. B. No. 235 be not concurred in.

Committee on Oils and Leases report H. B. No. 187 back to the Senate without recommendation.

Committee on Education report that H. B. No. 101 be concurred in.

AFTERNOON SESSION

Committee on Taxation report that Substitute H. B. No. 12 be amended by striking out in Section 9 thereof, in line 4, of page 7, of the engrossed bill the words "taxpaying freeholders" and by inserting in lieu thereof the words "taxpayers upon property";

That Section 9, line 11, of page 7 of the engrossed bill be amended by striking out the words "taxpaying freeholders" and by inserting in lieu thereof the word "taxpayers";

Strike out in Section 12, in line 18, of the engrossed bill the words "taxpaying freeholders" and insert in lieu thereof the words "taxpayers upon property", and, as amended, Substitute House Bill No. 12 be concurred in.

Committee on Roads and Highways report that H. B. No. 69 be amended as follows:

Amend Section 3 by striking out on page 2, all of lines 28, 29, 30, 31 and 32.

Amend in line 1 on page 3, by striking out the word "companies", and, as amended, House Bill No. 69 be concurred in.

Committee on Roads and Highways report that H. B. No. 172 be concurred in.

Committee on Mines and Mining report that H. B. No. 252 be concurred in.

Committee on Taxation report that H. B. No. 253 be concurred in.

Committee on Taxation report that H. B. No. 125 be concurred in.

Committee on Judiciary report as follows:

That H. B. No. 247 be not concurred in.

That H. B. No. 217 be not concurred in.

That H. B. No. 72 be concurred in.

Committee on Education report that Sub. for H. B. No. 264 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House amendments to Senate Bill No. 84 were this day on call concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House amendments to Senate Bill No. 62 were this day on call concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows:

That H. B. No. 241 be concurred in.

That H. B. No. 107 be concurred in.

That H. B. No. 150 be concurred in.

That H. B. No. 188 be concurred in.

That H. B. No. 216 be concurred in.

That H. B. No. 229 be amended in Section 2 by striking out in line the words "any county in", and, as amended, it be concurred in.

That H. B. No. 234 be concurred in.

That consideration of H. B. No. 260 be passed.

That H. B. No. 269 be concurred in.

That H. B. No. 289 be concurred in.

That H. B. No. 305 be concurred in.

That H. B. No. 198 be concurred in.

That H. B. No. 154 be concurred in.

That H. B. No. 175 be concurred in.

That H. J. R. No. 5 be concurred in.

That H. B. No. 193 be concurred in.

That H. B. No. 256 be concurred in.

That H. B. No. 199 be amended in Section 1 by striking out in line the word "said" and by inserting after the word "pay" in line 3 of printed bill the following words and marks of punctuation: ", Out of interest on investments made with the money which remained of a fund appropriated by the U. S. Government on June 25, 1908, to pay the Montana National Guard from the time of call until muster into the service of the United States for the Spanish American War", and, as so amended it be concurred in.

That H. B. No. 262 be concurred in.

That Sub. for H. B. No. 85 be concurred in.

That consideration of H. B. No. 95 be passed.

That consideration of H. B. No. 167 be passed.

That H. B. No. 178 be amended in Section 1 by inserting in line 20 words "or county in" after the word "town", and, as amended, it be concurred in.

That H. B. No. 266 be concurred in.

That consideration of H. B. No. 187 be passed.

Morning Session. Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders; that on discussion of the main bill, proponents and opponents be allowed to talk for ten minutes and others five minutes; that on discussion of amendments proponents and opponents be allowed five minutes and others three minutes, with no trading of time; that each member be allowed to talk only once, except proponents and opponents; that bills be read by history, title and section numbers only, except upon request of a member to have certain sections read at length.

Mr. Reed in the chair.

Committee arose.

House resumed.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bills Nos 57, 113, 114, Senate Joint Memorial No. 4, Senate Joint Resolution No. 8, Senate Amendments to House Bill No. 81, Senate Amendments to Substitute for House Bill No. 85, Senate Amendments to House Bill No. 107, Senate Amendments to House Bill No. 178, Senate Amendments to House Bill No. 199, Senate Amendments to House Bill No. 229, Senate amendments to House Bill No. 266, respectfully report follows: That Senate Bill No. 57 be amended as follows:

Section 1: By striking out in line 19 of printed bill, the words "in its own district warrants", and that as so amended, said bill be concurred in.

That consideration of Senate Bills Nos. 113 and 114 be passed for the day.

That Senate Joint Memorial No. 4 be concurred in.

That Senate Joint Resolution No. 8 be concurred in.

That Senate Amendments to House Bill No. 81 be concurred in.

That Senate Amendments to Substitute for House Bill No. 85 be concurred in.

That Senate Amendments to House Bill No. 107 be concurred in.

That Senate Amendments to House Bill No. 178 be concurred in.

That Senate Amendments to House Bill No. 199 be concurred in.

That Senate Amendments to House Bill No. 229 be concurred in.

That Senate Amendments to House Bill No. 266 be not concurred in and request a conference committee.

REED, Chairman."

On motion of Reed, report adopted.

There being no objections, House reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The following report of select committees was received:

"Mr. Speaker: We, your Conference Committee, appointed to consider House Amendments to Senate Bill No. 71 report as follows:

That House recede from its amendment to Section 1 by striking the words "Knowledge that" in line 31 of the engrossed bill.

That the Senate concur in the House Amendment to Section 1 striking out in lines 18, 19 and 20 of printed bill, all words after the word "Trespass" in line 18 of the printed bill.

House Conference Committee: LEAVENS.

RIFE.

JONES of Phillips.

Senate Conference Committee: SIBBERT.

DOWLIN.

GOODMAN.

On roll call the report was rejected by the following vote:

Ayes: Donaldson, Erickson, Green (Fergus), Holton, James Knowles, Leavens, Lillis, Logan, McLeod, Marshall, Merritt, Miller (Fergus), Nicholson, Plumer, Rife, Ryder, Steeves, Throssel, Tinsley, White, Woodcock, Mr. Speaker. Total—24.

Noes: Abrahamson, Adair, Ballard, Besancon, Bonine, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Dougherty, Dunn, Foot, Flachsenhar, Fulsher, Goodwin, Gustafson, Hagerty, Hardecastle, Harris, Hodgskiss, Jensen, Johnson, Jones (Ravall), Jones (Cascade), Kelly, Lamb, Larson, Leavitt, McCleary, Mason, Miller (Lincoln), Mulholland, Nagle, Nelson, Nelstead, O'Day, Reed, Rockwood, Rognlien, Rorvik, Sparling, Stambaugh, Thorburn, Troy, Warren, Willard, Willard. Total—54.

Absent and not voting: Akofer, Arnold, Benjamin, Benson, Barn Bretzke, Brown, Cheadle, Darlington, Dellwo, Green (Dawson), Jones (Phillips), Knight, Kroman, Lowry, Moss, Moulton, Murphy, Plank, Prescoe Sample, Shields, Sutton, Tierney. Total—24.

The Speaker appointed the following conference committee to act with a like committee from the Senate, for consideration of Senate amendments to House Bill No. 266: Green of Fergus, Dougherty of Ravall, Plank of Liberty.

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following report of standing committees was received:

"Mr. Speaker: We, your Committee on Rules, having had under consideration request for suspension of rule 35 recommend the same be suspended.

We take this action on the assurance of the Chancellor of the University that no emergency exists at this time in connection with the one and half State University levy; that no levy measure will be initiated prior to the meeting of the Twenty-first Legislative Assembly and that such session will be in ample time to take up the matter, as the amount needed to run the State Educational Institutions for the ten years succeeding 1931, will be more fully known at that time.

MOSS.

DAVIS.

BRICKER.

BESANCON.

COONEY."

Moved by Moss, duly seconded, that the report be adopted.

Moved by Adair, as a substitute motion, duly seconded, that the report be not adopted.

Question arising on the substitute motion, same was lost by the following vote, roll call having been demanded:

Ayes: Abrahamson, Adair, Ballard, Benson, Burke, Chatham, Doran, Fulsher, Goodwin, Hagerty, Hardecastle, Kelly, Knowles, Mason, Mulholland, Nagle, Plumer, Tierney, Tinsley. Total—19.

Noes: Besancon, Bonine, Bricker, Budas, Burns, Cavanaugh, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Dougherty, Dunn, Erickson.

Foot, Flachsenhar, Green (Fergus), Gustafson, Harris, Hodgskiss, Jones, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mer- Miller (Fergus), Miller (Lincoln), Moss, Nelson, Nelstead, Nicholson, ay, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Stam- gh, Steeves, Thorburn, Throssel Troy, Waite, Warren, Westlake, White, ard, Woodcock, Mr. Speaker. Total—62.

Absent and not voting: Akofer, Arnold, Benjamin, Barry, Bretzke, wn, Cheadle, Dellwo, Green (Dawson), Jones (Phillips), Knight, Kro- t, Larson, Lowry, Moulton, Murphy, Plank, Sample, Shields, Sparling, on. Total—21.

Question arising on the original motion, same carried.

The Speaker gave notice that he was about to sign Senate Bill No. 107, ate Substitute for House Bill No. 22, Senate Bill No. 84, and thereupon ed said bills.

Moved by Bricker, duly seconded and carried, that the House recess 1 2:00 P. M.

AFTERNOON SESSION

House resumed at 2:00 P. M.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standings committees were received:

"Mr. Speaker: We, your Committee on Workmen's Compensation, ing had under consideration Senate Bill No. 102 by Goodman, respect- y report as follows:

That Senate Bill No. 102 be amended as follows: By striking out the ds "not to exceed five sections" of section 2 and by inserting in lieu roof the words "not to exceed four sections" and that so as amended, ate Bill No 102 be concurred in.

NELSTEAD, Chairman."

On motion of Nelstead, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under sideration Senate Bill No. 92, by McCormick, Henderson, McCone, Dow- Pauline, Staggs, Sibbert, Greenup, Delaney, Green, McQuitty, Good- n, Corrington, Cowan, Johnson, John Campbell, Kemmis, H. C. Smith, rlor, respectfully report as follows: That Senate Bill No. 92 be not curred in.

MOSS, Chairman."

On motion of Moss, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under sideration Senate Bill No. 87, by Pauline, Church, Walker, Shelver and aney, respectfully report as follows: That Senate Bill No. 87 be ended as follows: By striking out Senate amendment in line 26 and 27 the printed bill in Section 1. By amending the engrossed bill as follows: l after "dollars", page 2, line 1, "All rates to be 25% higher for motor icles when not equipped with pneumatic tires", and when so amended, amittee recommends Senate Bill No. 87 be concurred in.

MOSS, Chairman."

On motion of Moss, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under sideration Senate Bill No. 133, by Church, respectfully report as fol- ws: That Senate Bill No. 133 be not concurred in.

BURNS, Chairman."

On motion of Burns, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections, having l under consideration Senate Bill No. 56, introduced by Garber, respect-

fully report as follows: That Senate Bill No. 56 be not concurred in.
HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 61, introduced by Goodman, respectfully report as follows: That Senate Bill No. 61 be not concurred in.
HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 81, introduced by Goodman, respectfully report as follows: That Senate Bill No. 81 be not concurred in.
HARRIS, Chairman."

On motion of Harris, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 130, introduced by Committee on Privileges and Elections, respectfully report as follows: That Senate Bill No. 130 be not concurred in.
HARRIS, Chairman."

On motion of Harris, report adopted.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Flachsenhar, duly seconded and carried, that the following communications from the Senate be considered read at length and the Journal so show:

Helena, Montana, February 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House for a conference committee to consider Senate amendments to House Bill No. 4 was this day granted. The President appointed Senators Goodman, Johnson and McQuitty to act with a like committee from the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 25, 1927

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the conference committee for consideration of House amendments to Senate Bill No. 71 was this day, upon roll call adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, upon roll call, concurred in House amendments to Senate Bill No. 94, No. 101, and No. 58.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House bills, upon recommendation of the standing committees, were not concurred in. Reports were adopted and bills are herewith returned to the House:

Public Morals Committee—H. B. No. 257.

Education Committee—H. B. No. 244.

Judicial Districts—Substitute H. B. No. 284.

Privileges and Elections—H. B. No. 195.

Privileges and Elections—H. B. No. 232.

Counties and Towns—H. B. No. 208.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows:

That H. B. No. 260 be concurred in.
That consideration of H. B. No. 95 be passed.
That H. B. No. 167 be not concurred in.
That H. B. No. 61 be concurred in.
That H. B. No. 116 be concurred in.
That consideration of H. B. No. 283 be passed.
That H. B. No. 309 be concurred in.
That H. B. No. 267 be concurred in.
That consideration of H. B. No. 172 be passed.
That consideration of H. B. No. 125 be passed.
That H. B. No. 252 be concurred in.
That consideration of H. B. No. 12 be passed.
That H. B. No. 69 be concurred in.
That consideration of H. B. No. 264 be passed.
That H. B. No. 72 be concurred in.
Report adopted. Forenoon Session.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the standing committees have this day reported as follows:

Committee on Dairies and Dairying report that H. B. No. 263 be amended as follows:

Amend Section 1 by striking out all of said section after the word "of" in line 10 and adding thereto the following: "Five Dollars for all stations handling less than fifteen hundred pounds of butter fat per month; Ten Dollars for all stations handling fifteen hundred pounds and less than three thousand pounds; Fifteen Dollars per month for all stations handling three thousand pounds and less than six thousand pounds; "Twenty Dollars for all stations handling six thousand pounds and over."

Amend Section 2 by striking out all of lines 16 and 17 after the word "contain" in line 16 and adding thereto the following: "floor space large enough for all equipment in said station, including cooling tank of sufficient size to hold all cream bought or collected at such station on each day."

Amend Section 2 by inserting in line 18 after the word "stations" the following: "collecting more than fifteen hundred (1500) pounds of butter fat per month."

Amend in line 22 after the word "station" by inserting the following: "collecting more than fifteen hundred (1500) pounds of butter fat per month", and, as amended, it be concurred in.

The conference committee appointed to consider House amendments to Senate Bill No. 71 report as follows:

That House recede from its amendment to Section 1 by striking the words "Knowledge that" in line 31 of the engrossed bill.

That the Senate concur in the House amendment to Section 1 by striking out in lines 18, 19 and 20 of the printed bill, all words after the word "trespass" in line 18 of the printed bill, and, as amended, it be concurred in.

Committee on Printing report that H. B. No. 214 be concurred in.

Committee on Public Morals report that H. B. No. 257 be not concurred in.

Committee on Public Morals report that H. J. R. No. 9 be concurred in.

Committee on Taxation report that H. B. No. 222 be concurred in, and that H. B. No. 221 be concurred in.

Reports adopted. Forenoon Session.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the standing committees have this day reported as follows:

Committee on Finance and Claims report that H. B. No. 238 be amended by striking out the words "furniture and" and inserting after the word "fixtures" in line 7 of the title the words "and equipment".

Amend by striking out the words "furniture and" at line 19, page 1 of the original bill and that the words "and equipment" be added after the word "fixtures" line 19, page 1, of the original bill, and as amended, it be concurred in.

Committee on Fairs and Expositions report that H. B. No. 242 be amended as follows:

In Section 2, line 20 by inserting after the word "Secretary" the words "not exceeding Twenty-five Dollars per month" and by amending Section 3 following the period after the word "Commission" in line 8 by inserting the following words and punctuation: "Nothing in this act shall be construed as relating to or prohibiting amateur boxing or wrestling exhibitions conducted in and by regularly organized amateur clubs, school and gymnasiums", and, as amended, it be concurred in.

Committee on Judiciary report that H. B. No. 298 be amended as follows:

Amend by inserting after the word "an" used the second time in line 1, page 1, of the engrossed bill, the letter "y", so that said line will read: "An appeal from any assessment";

By striking out the letter "s" after the word "courts" in line 1, page 1, of said bill.

By striking out the word "an" in line 11, page 1, of said bill.

By striking out the second word in line 13, page 1, of said bill, being the word "the"; and, as amended, it be concurred in.

Committee on Judiciary report that H. B. No. 98 be amended as follows:

Amend by striking out the word "pendency" in line 31 of the engrossed bill, page 1, and inserting in lieu thereof the word "hearing."

By striking out all of line 26 on page 2 after the period in said line.

Strike out all of line 27 and the first two words in line 28 and inserting in lieu thereof, the following: "When another judge has assumed jurisdiction of an action, motion, or proceeding", and, as amended, it be concurred in.

Committee on Privileges and Elections report that H. B. No. 195 be not concurred in.

Committee on Finance and Claims report that H. B. No. 64 be amended as follows:

That in addition to all amendments heretofore made to said bill, contained in the report of this committee on Finance and Claims, at the Twentieth Legislative Assembly, we beg leave to further report and recommend as follows:

That the amendment to line 24, page 3, of the original bill be stricken out and that the words and figures "\$9,100.00" at line 24, page 3, of the original bill be stricken out and that the words and figures "\$10,300.00" be inserted in lieu thereof.

That between lines 25 and 26, page 3, of the original bill the following be inserted: "salary of insurance commissioner \$600.00".

That said bill be further amended by striking out the amendments heretofore made by this committee to line 24, page 7, and that the words and figures "\$9,100.00" be stricken from the original bill and the following words inserted in lieu thereof "\$10,300.00" and that after the words "follows" in line 27, page 7, of the said original bill the following words be inserted, "Salary of Insurance Commissioner \$600.00".

That lines 6 and 7, page 5, of the original bill be stricken out and that lines 4 and 5 of page 9 of the original bill be amended by striking out the words and figures "\$24,000.00" and inserting in lieu thereof the words and figures, "\$15,000.00", and, as amended, it be concurred in.

Committee on Privileges and Elections report that H. B. No. 232 be concurred in and that H. B. No. 180 be concurred in.

Committee on Judiciary report as follows:

That H. B. No. 281 be concurred in.

That H. B. No. 244 be not concurred in.

That H. B. No. 261 be concurred in.

Committee on Counties and Towns report that H. B. No. 208 be not concurred in. That H. B. No. 194 be concurred in.

Committee on Judicial Districts report that Substitute H. B. No. 284 be not concurred in.

Committee on Finance and Claims report that H. B. No. 163 be concurred in.

Committee on Taxation report that H. B. No. 254 be concurred in.

Reports adopted. Forenoon Session.

Respectfully,

J. F. CONE, Secretary of Senate."

The Speaker at this time excused Bricker of Judith Basin for the remainder of the day.

There being no objections, House reverted to Order of Business No. 8.

THIRD READING OF SENATE BILLS

Senate Bill No. 57, introduced by Hazelbaker, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Ballard, Benson, Besancon, Bonine, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Lamb, Larson, Leavens, Leavitt, Logan, McCleary, McLeod, Mason, Meritt, Miller (Fergus), Miller (Lincoln), Mulholland, Nagle, Nelstead, Nicholson, O'Day, Plumer, Prescott, Reed, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Thorburn, Throssel, Tierney, Waite, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—69.

Noes: None.

Absent and not voting: Akofer, Arnold, Benjamin, Barry, Bretzke, Bricker, Brown, Cheadle, Dellwo, Goodwin, Hardcastle, Jones (Phillips), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lillis, Lowry, Marshall, Moss, Moulton, Murphy, Nelson, Plank, Rife, Sample, Shields, Steeves, Sutton, Tinsley, Troy, White. Total—33.

Senate Joint Memorial No. 4, introduced by Griffin, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benson, Barry Besancon, Bonine, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Green (Dawson), Gustafson,

Hagerty, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Kroman, Lamb, Larson, Leavens, Leavitt, Logan, McCleary, McLeod, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—79.

Noes: Plumer. Total—1.

Absent and not voting: Arnold, Benjamin, Bretzke, Bricker, Brown, Dellwo, Dougherty, Goodwin, Hardcastle, Jones (Phillips), Jones (Cascade), Kelly, Knight, Knowles, Lillis, Lowry, Marshall, Moss, Moulton, Ryder, Shields, Troy. Total—22.

Senate Joint Resolution No. 8, introduced by Pauline and Tower, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benson, Barry, Besancor, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Ravalli), Kelly, Kroman, Lamb, Leavens, Leavitt, Logan, McCleary, McLeod, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—78.

Noes: Plumer. Total—1.

Absent and not voting: Arnold, Benjamin, Bretzke, Bricker, Dellwo, Dougherty, Fulsher, Johnson, Jones (Phillips), Jones (Cascade), Knight, Knowles, Larson, Lillis, Lowry, Marshall, Moss, Ryder, Sample, Shields, Tierney, Tinsley, Troy. Total—23.

Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 146, 212, 239, House Memorial No. 1.

WAITE, Chairman."

There being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 81, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benson, Barry, Besancor, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Kelly, Kroman, Lamb, Leavens, Leavitt, Logan, McCleary, McLeod, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Reed, Rife, Rockwood, Rognlien, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—79.

Noes: Plumer, Rorvik, Sparling. Total—3.

Absent and not voting: Arnold, Benjamin, Bretzke, Bricker, Darlington, Dellwo, Dunn, Jones (Cascade), Knight, Knowles, Larson, Lillis, Lowry, Marshall, Moss, Moulton, Prescott, Ryder, Sample, Shields. Total—20.

At the request of Cheadle, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following report of standing committees was received:

"Mr. Speaker: We, your Committee on Petroleum Oil and Gas Affairs, having had under consideration Senate Bill No. 28, by Paul, respectfully report as follows: That Senate Bill No. 28 be not concurred in.

MOULTON, Chairman."

Moved by Moulton, duly seconded, that the report be adopted.

Moved by Stambaugh, as a substitute motion, duly seconded, that the report be not adopted and asked for roll call.

Call of the House demanded by Flachsenhar, seconded by fifteen members.

On roll call the following members were found to be absent: Bretzke, excused; Arnold, excused, Bricker, excused.

The Speaker gave notice that he was about to sign House Memorial No. 1 and House Bill No. 146, and thereupon signed same.

Moved by Moss, duly seconded and carried, that call of the House be dispensed with.

Moved by Cheadle, as a substitute for all pending motions, duly seconded, that Senate Bill No. 28 be re-referred to the Committee on Petroleum, Oil and Gas Affairs. Motion carried.

The Speaker gave notice that he was about to sign House Bill No. 12 and House Bill No. 239 and thereupon signed the same.

At the request of Ryder, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Ryder, duly seconded, that the House reconsider its action on Senate Bill No. 43. Motion lost.

At the request of Flachsenhar, there being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

Senate amendments to Substitute House Bill No. 85, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—89.

Noes: Plumer. Total—1.

Absent and not voting: Bretzke, Bricker, Dellwo, Green (Dawson), Knight, Knowles, Lowry, Marshall, Moss, Mulholland, Steeves, Waite. Total—12.

Senate amendments to House Bill No. 107, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benson, Besancon, Bonine, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Johnson, Jensen, Jones (Ravalli), Kelly, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Mason, Merritt, Miller (Fergus), Miller (Lin-

coln), Nagle, Nelson, Nelstead, O'Day, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sparling, Stambaugh, Steeves, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—77.

Noes: Mulholland. Total—1.

Absent and not voting: Benjamin, Barry, Bretzke, Bricker, Brown, Dellwo, Dunn, Green (Dawson), Jones (Phillips), Jones (Cascade), Knight, Knowles, Kroman, Lowry, Marshall, Moss, Moulton, Murphy, Nicholson, Plank, Ryder, Sample, Shields, Sutton. Total—24.

At the request of Moulton, the Committee on Petroleum, Oil and Gas were excused for a few minutes.

Senate amendments to House Bill No. 178, having been read three several times were concurred in by the following vote:

Ayes: Abrahamson, Adair, Ballard, Benson, Besancon, Bonine, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Nagle, Nelson, Nelstead, O'Day, Prescott, Reed, Rockwood, Rognlien, Rorvik, Stambaugh, Steeves, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—74.

Noes: Plumer. Total—1.

Absent and not voting: Akofer, Arnold, Benjamin, Barry, Bretzke, Bricker, Brown, Cheadle, Dellwo, Green (Dawson), Harris, Jones (Phillips), Knight, Knowles, Kroman, Lowry, Moss, Moulton, Murphy, Nicholson, Plank, Rife, Ryder, Sample, Shields, Sparling, Sutton. Total—27.

Senate amendments to House Bill No. 199, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Ballard, Benson, Besancon, Bonine, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Hardcastle, Hodgskiss, Jameson, Jensen, Johnson, Jones (Ravalli), Kelly, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Nagle, Nelson, Nelstead, Nicholson, O'Day, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sparling, Stambaugh, Steeves, Thorburn, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—73.

Noes: None.

Absent and not voting: Akofer, Arnold, Benjamin, Barry, Bretzke, Bricker, Brown, Dellwo, Green (Dawson), Gustafson, Hagerty, Harris, Holton, Jones (Phillips), Jones (Cascade), Knight, Knowles, Kroman, Lowry, Moss, Moulton, Mulholland, Murphy, Plank, Ryder, Sample, Shields, Sutton, Tierney. Total—29.

Senate amendments to House Bill No. 229, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Ballard, Benson, Bonine, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlington, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Kelly, Lamb, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plumer, Reed, Rife, Rockwood, Rognlien, Rorvik, Sparling, Stambaugh, Steeves, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—71.

Noes: Foot. Total—1.

Absent and not voting: Akofer, Arnold, Benjamin, Barry, Besancon, Metzke, Bricker, Brown, Cheadle, Dellwo, Donaldson, Green (Dawson), Jones (Phillips), Jones (Cascade), Knight, Knowles, Kroman, Larson, Lowry, Moss, Moulton, Murphy, Plank, Prescott, Ryder, Sample, Shields, Patton, Thorburn, Waite. Total—30.

Printing Committee reported as follows:

"Mr. Speaker: We, your Committee on Printing, respectfully report House Bills Nos. 314 and 315 as correctly printed.

COONEY, Chairman."

Moved by Flachsenhar, duly seconded, that the House recess until 3:30 m.

House resumed.

Mr. Speaker in the chair.

The Speaker excused Mr. Murphy for the remainder of the day.

The Speaker gave notice that he was about to sign Senate Bill No. 28, Senate Bill No. 63, Senate Bill No. 72, Senate Bill No. 129, Senate Bill No. 33, Senate Bill No. 95, Senate Bill No. 53, Senate Bill No. 77, Substitute for Senate Bill No. 5, and thereupon signed said bills.

Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled. House Bills Nos. 193, 154, 256.

MERRITT, Vice-Chairman."

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 125, by Swift, respectfully report as follows: That Senate Bill No. 125 be amended by; striking out in Section 2, line 3, page 3, of the printed bill, and line 32, page 3 of the original bill, the word "September", and inserting in lieu thereof the word "October"; and as amended it be concurred in.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 78, by Gilboe, respectfully report as follows: That Senate Bill No. 78 be amended:

1. By striking out in Section 1, line 21 of the printed bill, the word "must" and inserting in lieu thereof the word "may".

2. By inserting in Section 1, line 21 of the printed bill, after the word "territory", a semi-colon and the following words: "provided both superintendents of the counties affected are agreed that such dissolution will not entail an undue hardship to either part of such joint district, and that there is no good and sufficient reason why such dissolution should not be made".

3. By striking out in Section 3, line 4 of the printed bill, the figures "\$50,000" and inserting in lieu thereof the figures "\$75,000", and as so amended the bill be concurred in.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 99, by Cowan, respectfully report as follows: That Senate Bill No. 99 be concurred in.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 126, by Committee on Education, respectfully report as follows: That Senate Bill No. 126 be amended by; inserting in

Section 2, line 5 of the original bill and line 3 of the printed bill, after the word "Fund" the following words, "among the common schools, district and county high schools of this State"; and as so amended the bill be concurred in.

FLACHSENHAR, Chairman."

On motion of Flachsenhar, report adopted.

"Mr. Speaker: We, your Committee on Irrigation and Water Rights having had under consideration amended Senate Bill No. 96, by Committee on Irrigation and Water Rights, respectfully report as follows: That amended Senate Bill No. 96 be concurred in.

LILLIS, Chairman."

On motion of Lillis, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 52, by Committee on Roads and Highways respectfully report as follows: That Senate Bill No. 52 be concurred in.

MOSS, Chairman."

On motion of Moss, report adopted.

"Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration Senate Bill No. 28, by Paul, respectfully report as follows: That Senate Bill No. 28 be amended as follows: Amend the title of the Act by striking out in said title commencing with the word "Recognizing", in line 17 of the engrossed bill, all of lines 17, 18, 19, 20 and line 21, down to and including the word "thereof" in line 21. And commencing with the word "and" after the word "thereof" in line 28, striking out the remaining portion of line 28, all of line 29, and down to and including the word "therefrom" in line 30.

Amend the Act itself by striking out all of Sections 3 and 4, being lines 2 to 16 inclusive, on page 3 of the bill.

Amend Section 7 of the bill by striking out commencing with the word "or" in line 3, on page 4 of the engrossed bill, being the last word in said line, and all of line 14 and all of line 15 of said page 4 of the engrossed bill. Amend Section 10 on page 4 of the engrossed bill by striking out in line 28 commencing with the words "in addition", striking out the remaining portion of line 28, and striking out in line 29 down to and including the word "prescribed", and striking out in line 30, commencing with the word "and" all of the remaining portion of the line 30, and line 31, on page 4, of the engrossed bill, and all of lines 1, 2, 3, 4, and down to the word "and", following the word "Montana", in line 5 on page 5 of the engrossed bill.

Amend Section 14 on page 6 of the engrossed bill by striking out in line 28 on page 6, commencing with the word "and", all of the remainder of line 28 on page 6, all of lines 29, 30, 31 and also lines 1, 2, 3, 4, 5 and 6 on page 7 of the engrossed bill.

Amend Section 15 of the engrossed bill on page 7 thereof by inserting after the word "container" in line 22 on page 7 of the engrossed bill the following words "in or from".

Amend the engrossed bill by striking out all of Sections 21, 22, 23, 24, 25, 26 and 27, also that portion of Section 28, commencing with the first of said paragraph and ending with the word "act" in line 6 on page 14 of the engrossed bill. The same being found on the last three lines or page 29 of the engrossed bill, all of page 10, all of page 11, all of page 12, all of page 13, and page 14, down to and including line 6 of said page.

Amend Section 29 of the engrossed bill by striking out commencing with the word "or" after the word "it" in line 19 on page 14 of the engrossed bill, all of the remainder of line 19, all of lines 20, 21, 22, and the first word in line 23 of page 14 of the engrossed bill, and to change the words and figures "one hundred dollars" in line 26-27, to the words and figures "ten dollars", and the words and figures "five hundred dollars" in line 29 to the words and figures "fifty dollars".

Amend the engrossed bill by striking out the Sections 30 and 31 of the engrossed bill, being page 15 and down to and including line 20 on page 16 of the engrossed bill, to conform with the foregoing amendments; amend the bill further by re-numbering the paragraphs of the engrossed bill to conform with the amendments. Amend Section 32 by inserting after the word "section" in line 21, the following "clause, sentence or provision".

Amend Section by adding thereto the following words: "it shall be the duty of every wholesaler of gasoline to furnish with each delivery of gasoline to a retailer, a statement that the said gasoline conforms with the standards by this Act prescribed.

And as amended, recommends that the bill be concurred in.

MOULTON, Chairman."

Moved by Moulton, duly seconded, that the report be adopted.

Moved by Stambaugh, as a substitute motion, duly seconded, that Senate bill No. 28 be placed on General Orders without amendments.

Call of the House demanded by Cooney, seconded by fifteen members.

The clerk called the roll and found the following members absent: Bretzke, excused; Bricker, excused; Murphy, excused; Arnold, excused.

Moved by Moss, duly seconded and carried, that further action on call of the House be dispensed with.

Question arising on the substitute motion that Senate Bill No. 28 be placed on General Orders without amendments; motion lost.

Question arising on original motion that the report of the committee be adopted: motion carried.

The Speaker gave notice that he was about to sign House Bill No. 193, House Bill No. 256, House Bill No. 154, and thereupon signed said bills.

At the request of Flachsenhar, there being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Flachsenhar, duly seconded, that the House resolve itself into Committee of the Whole for consideration of General Orders, with respect to Senate Bill No. 28 only.

Moved by Besancon, as a substitute motion, duly seconded, that the House resolve itself into Committee of the Whole for consideration of General orders.

Question arising on the substitute motion, same carried.

Mr. Reed in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bills Nos. 28, 87, 102, 52, 78, 96, 99, respectfully report as follows: On motion, Senate Bill No. 28 was placed at the bottom of the list on General Orders.

That consideration of Senate Bill No. 87 be passed for the time being.

That Senate Bill No. 102 be concurred in.

That Senate Bill No. 52 be concurred in.

That Senate Bill No. 78 be concurred in.

That Senate Bill No. 96 be concurred in.

That Senate Bill No. 99 be concurred in.

REED, Chairman."

On motion of Reed, report adopted.

At the request of Cheadle, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Cheadle, duly seconded and carried, that Senate Bill No. 2 be made a Special Order of Business for Monday, February 28, at 2 P. M.

Moved by Flachsenhar, duly seconded and carried, that the House adjourn until 1:30 P. M., February 27.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

FIFTY-SIXTH DAY

House of Representatives,
Helena, Montana, February 27, 1927.

House convened, pursuant to adjournment at 1:30 P. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call, all members present, except: Akofer, excused; Knight absent; Lowry, excused; Murphy, absent; Nelson, excused; Thorburn, absent; Tinsley, absent; Tierney, excused; Bretzke, excused; Jameson excused.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifty-fifth day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

REPORTS OF SELECT COMMITTEES

The following report of select committees was received:

"To the Speaker of the House and to the President of the Senate:

"We, your Conference Committee of the House, conferring with a like committee of the Senate, request that the House recede from the House amendment to Section 1, by striking out the word "ten" in line 16 of the House amendment and inserting in lieu thereof the word "twenty"; and with this change, the Senate agrees to the House amendment to Section 1.

The amendment to Senate Bill No. 26 now being as follows: By striking out all of Section 1 after the word "after" in line 13 of the original bill and inserting in lieu thereof the following:

"The election of any teacher or principal for the third consecutive year in any school district in the state, such teacher or principal so elected shall be deemed re-elected from year to year thereafter at the same salary unless the board of trustees shall by majority vote of its members on or before the first day of May give notice in writing to said teacher or principal that he has been re-elected or that his services will not be required for the ensuing year; provided that nothing in this Act shall be construed to prevent re-election of such teacher or principal by such board at an earlier date, and also provided that in case of re-election of such teacher or principal, he shall notify the board of trustees in writing within twenty days after the notice of such re-election of his acceptance of the position tendered him for another year and failure to so notify the board of trustees shall be regarded as conclusive evidence of his non-acceptance of the position." Is accepted by your Joint House and Senate Conference Committee.

EATON.
GOODMAN.
H. C. SMITH.

Senate.

JAMESON.
DOUGHERTY,
MARSHALL.

House.

On roll call, the report was adopted by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatum, Cheadle, Clarke, Clausen, Curran, Darlinton, Dellwo, Donaldson, Moran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harcastle, Harris, Hodgss, Holton, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavitt, Lillis, Logan, McLeary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Nagle, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tierney, Troy, Warren, Westlake, White, Villard, Woodcock, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Akofer, Bretzke, Cooney, Goodwin, Jameson, Knight, Leavens, Lowry, McLeod, Murphy, Nelson, Plumer, Sample, Thorburn, Tinsley, Waite. Total—16.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 317, by Appropriations Committee, respectfully report as follows: That House Bill No. 317 do pass.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 318, by Appropriations Committee, respectfully report as follows: That House Bill No. 318 do pass.

REED, Chairman."

On motion of Reed, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Senate:

Helena, Montana, February 25, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House for a conference committee to consider Senate amendments to House Bill No. 266 was this day granted. The President appointed Greenup, Pauline, Porter to act with a like committee from the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the following communications received from the Senate, be considered read at length and the Journal so show:

Helena, Montana, February 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House bills were this day read three several times and concurred in, title and history agreed to, and are herewith returned to the House:

H. B. No. 260; H. B. No. 252; H. B. No. 116.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House bills were this day, upon recommendation of standing committees, not concurred in, and same are herewith returned to the House:

Counties and Towns Committee—H. B. No. 142; H. B. No. 96; H. B. No. 140; H. B. No. 141.

Public Buildings—H. B. No. 83.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 167, introduced by Donaldson, was this day recommended for non-concurrence by the Committee of the Whole. Report adopted and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 61 was this day read three several times and concurred in, as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments:

Committee on Agriculture amendments:

Amend the title to read as follows: "An Act relating to the testing of scales; authorizing the employment of a State Scale Expert and deputies, and defining their powers and duties; providing fees for testing scales; prohibiting the use of any weighing device condemned or rejected; creating a contingent revolving fund to defray the expenses of the State Scale Expert and his deputies; providing penalties for the use of weighing devices, which have not been tested as required by this Act and for making false tests and for other violations of the provisions of this Act, and repealing Section 3575 of the Revised Codes of Montana of 1921, and all Acts and parts of Acts in conflict herewith."

Amend by striking out the word "over" in line 3 of Section 2 of the original bill and inserting the words "and over" in the same line after the word "pounds";

That the figure "\$1.00" be stricken out in line 6 of Section 2 and the following words inserted thereafter: "used for weighing or testing grain in grain elevators or warehouses, \$1.00";

That Section 3, of the original bill be stricken out in its entirety.

That Sections 6 and 7 of the original bill be stricken out in their entirety.

By adding a section to be known as Section 7, the following paragraph:

"Section 7. "The Department of Agriculture may grant permission for the use of a weighing device until the inspection can be made (without causing too great expense), as provided by this Act."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 69 was this day read three several times and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments:

Committee on Roads and Highways amendment:

Amend Section 3 by striking out on page 2, all of lines 28, 29, 30, 31, and 32.

Amend in line 1, on page 3, by striking out the word "companies."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 72 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Privileges and Elections amendments:

Amend the title of the Act by inserting after the word "of" and before the word "chapter" in the second line of the title of the Act, the following words: "The Revised Codes of Montana of 1921 as amended by."

Amend in Section 1 by striking out in line 9 of the printed bill the words "has been" and inserting in lieu thereof the word "is."

Committee of the Whole amendment:

"That the last paragraph of Section 1, being lines 16 to 23 inclusive of page 2 of the original bill and lines 29 to 32 of the printed bill, together with the amendments made to said paragraph by the Senate Committee of the Whole, be stricken out, and in lieu thereof the following words be inserted:

"Any person receiving the nomination by having his name written in on the primary ballot, and desiring to accept such nomination, shall file with the Secretary of State, County Clerk or City Clerk, a written declaration indicating his acceptance of said nomination within ten days after the election at which he receives such nomination, and at the same time he shall pay to the officer with whom such declaration of acceptance is filed the fee above provided for filing a primary nominating petition for such office. No candidate receiving a nomination at a primary election as above provided shall have his name printed on the official ballot for the general election without complying with the provisions of this section."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 309 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Finance and Claims amendments:

Amend by inserting a section to be known as Section 3 to read as follows:

"Section 3. The money herein appropriated by the provisions of this Act shall not be paid to the said Andy Briscoe, until the said Andy Briscoe shall have first filed with the State Board of Examiners a release in full of all claims made by him against the State of Montana, other than and in excess of the sum of money herein appropriated for the payment of his claim against the State of Montana, provided for in the foregoing provisions of this Act."

And by striking out the figure "3" in line 28 and inserting in lieu thereof the figure "4."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 267 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Fairs and Expositions amendment:

Amend by inserting after the word "through" in line 5 of the engrossed bill the following words "the exposition exhibits committee of."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the conference committee, having had under consideration House amendment to substitute for Senate Bill No. 26, report and recommend as follows:

"We, your Conference Committee of the Senate, conferring with a like committee of the House, request that the House recede from the House amendment to Section 1 of substitute for S. B. No. 26 by striking out the word "ten" in line 16 of the House amendment and inserting in lieu thereof the word "twenty"; and, with this change, the Senate agrees to the House amendment to Section 1.

The amendment to Substitute for S. B. No. 26, now being as follows:

By striking out all of Section 1 after the word "after" in line 13 of the original bill and inserting in lieu thereof the following:

"The election of any teacher or principal for the third consecutive year in any school district in the state, such teacher or principal so elected shall be deemed re-elected from year to year thereafter at the same salary unless the board of trustees shall by majority vote of its members on or before the first day of May give notice in writing to said teacher or principal that he has been re-elected or that his services will not be required for the ensuing year; provided that nothing in this Act shall be construed to prevent re-election of such teacher or principal by such board at an earlier date, and also provided that in case of re-election of such teacher or principal, he shall notify the board of trustees in writing within twenty days after the notice of such re-election of his acceptance of the position tendered him for another year and failure to so notify the board of trustees shall be regarded as conclusive evidence of his non-acceptance of the position."

Report adopted.

Respectfully.

J. F. CONE, Secretary of Senate."

Helena, Montana, February 26, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees have this day reported as follows:

Committee on Counties and Towns report that H. B. No. 274 be amended in line 13 of the engrossed bill by adding after the word "holding" the following words "and costs in event of sale", and, as amended, it be concurred in.

Committee on Banks and Banking, report that H. B. No. 196 be amended on page 2, line 73, of the printed bill, by striking out the word "March", and inserting in lieu thereof the word "January".

Amend page 2 of the printed bill by placing the character "." after the word "bond" in line 76 in lieu of the character ",", and strike out the balance of Section 1, and, as amended, it be concurred in.

Committee on Roads and Highways report that H. B. No. 228 be amended by striking out all of Section 10.

Amend Section 13, line 30, page 6 of the engrossed bill by adding after the word "highway" the following: "when carrying a load projecting more than six feet back of the rear axle, or more than two feet on either side of the main carrying capacity of the vehicle", and, as amended, it be concurred in."

Committee on Taxation report that H. B. No. 147 be amended by adding to Section 1, the following:

The special tax levy provided for in this section may be increased to not to exceed five mills under the following conditions:

If in the judgment of the chairman of the Board of Trustees in any school district maintaining high school courses, as above specified, a special tax levy in excess of three mills is necessary for the support of such schools in the county he shall petition the State Board of Education for authority to recommend a tax levy of not to exceed five mills for such purpose and shall submit to said Board the facts justifying such increased levy said Board of Education shall carefully consider such application and shall grant the same if in the judgment of said Board such increased tax levy is absolutely necessary for the proper maintenance of said high schools.

If the Board allows such petition it shall make an order to that effect and transmit the same to the Board of County Commissioners who shall then have authority in its discretion to fix such levy at not exceeding five mills to be distributed as above provided, and, as amended, it be concurred in.

Roads and Highways Committee report that H. B. No. 172 be concurred in.

Public Buildings and Grounds Committee report that H. B. No. 83 be not concurred in.

Railroads and Transportation Committee report that H. J. R. No. 10 be re-referred to the Committee on Public Lands.

Committee on Counties and Towns report that H. B. No. 96 be not concurred in.

Committee on Counties and Towns report as follows:

That H. B. No. 142 be not concurred in.

That H. B. No. 106 be concurred in.

That H. B. No. 140 be not concurred in.

That H. B. No. 141 be not concurred in.

That H. B. No. 271 be concurred in.

Public Lands Committee report that H. B. No. 186 be concurred in.

Finance and Claims Committee report that H. B. No. 312 be concurred in.

Report adopted. Afternoon Session.

Respectfully,

J. F. CONE, Secretary of Senate."

THIRD READING OF SENATE BILLS

Senate Bill No. 52, introduced by Committee on Roads and Highways, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abraham, Adair, Arnold, Ballard, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty Hardcastle, Harris, Hodgskiss, Holton, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Nagle, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rorvik, Ryder, Shields, Sparling, Steeves, Sutton, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Stambaugh, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Akofer, Benjamin, Bretzke, Clausen, Cooney, Jameson, Knight, Leavens, Lowry, Murphy, Nelson, Plumer, Rognlien, Sample, Thorburn, Tinsley. Total—16.

At the request of Marshall, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Burns, duly seconded and carried, that Senate Bill No. 96 be taken from Third Reading and re-referred to General Orders.

There being no objections, House reverted to Order of Business No. 8.

THIRD READING OF SENATE BILLS

Senate Bill No. 78, introduced by Gilboe, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—85.

Noes: Chatham. Total—1.

Absent and not voting: Akofer, Bretzke, Cooney, Curran, Jameson, Johnson, Knight, Leavens, Lowry, Murphy, Nagle, Nelson, Plumer, Sample, Thorburn, Tinsley. Total—16.

Senate Bill No. 99, introduced by Cowan, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Lamb, Larson, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Sample, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—85.

Noes: Rorvik. Total—1.

Absent and not voting: Akofer, Bretzke, Cooney, Gustafson, Jameson, Knight, Kroman, Leavens, Lowry, Murphy, Nagle, Nelson, Ryder, Shields, Thorburn, Tinsley. Total—16.

At the request of Kelly, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Kelly, duly seconded and carried, that Senate Bill No. 102 be taken from Third Reading and re-referred as follows:

The Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 150, 175, 188, 198, 216, 234, 262, 269, 305, 289 and House Joint Resolution No. 5.

MERRITT, Vice-Chairman."

There being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under the rules that on discussion of the main bill, proponents and opponents be allowed ten minutes, and others five minutes; that on discussion of amendments proponents and opponents be allowed five minutes and others three minutes, with no trading of time; that each member be allowed to talk only once, except proponents and opponents; that bills be read by history, title and section numbers only, except upon request of one member to have certain sections read at length.

Mr. Westlake in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee on the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bills No. 87, 125, 126, 113, 114, House Bills Nos. 314, 315, Senate Bills Nos. 96, 102, Senate amendments to House Bills Nos. 61, 69, 72, 267, 309, respectfully report as follows:

That consideration of Senate Bill No. 87 be passed for the time.

That consideration of Senate Bill No. 125 be passed for the day.

That Senate Bill No. 126 be concurred in.

That Senate Bill No. 87 be amended as follows:

Section 1: By adding after the figures 1921 appearing in line 1 of the printed bill, the following, "as amended by Chapter 107 of the Laws of the Eighteenth Legislative Assembly", and that as so amended, Senate Bill No. 87 be concurred in.

That Senate Bill No. 113 be amended as follows:

Section 1: By striking out in line 6 of printed bill the word "who" and inserting in lieu thereof the words "and the board."

And that as so amended, Senate Bill No. 113 be concurred in.

That the enacting clause be stricken from Senate Bill No. 114.

That House Bill No. 314 do pass.

That House Bill No. 315 do pass.

That consideration of Senate Bill No. 96 be passed for the day.

That Senate Bill No. 102 be amended as follows:

Section 2: By inserting in line 26, after the word "report" the following words: "the fact of such purchase to the boiler inspector and notify such inspector". Also by striking out in line 31 the word "article" and inserting in lieu thereof the word "act", and that as so amended Senate Bill No. 102 be concurred in.

Senate amendments to House Bill No. 61 be concurred in.

That Senate amendments to House Bill No. 69 be not concurred in and request a conference committee.

That Senate amendments to House Bill No. 72 be concurred in.

That Senate amendments to House Bill No. 267 be concurred in.

That Senate amendments to House Bill No. 309 be not concurred in and request a conference committee.

WESTLAKE, Chairman."

Moved by Westlake, duly seconded, that the report be adopted.

Moved by Larson, as a substitute motion, duly seconded, that Senate Bill No. 113 be segregated from the report, and asked for roll call.

Call of the House asked for by Kelly, seconded by fifteen members.

On roll call the following members were found to be absent: Akofer, Barry, Bretzke, excused; Gustafson, Jameson, excused; Knight, Lowry, excused; Murphy, Nelson, Stambaugh, Thorburn, Tierney; excused; Tinsley, Waite.

Moved by Bricker, duly seconded and carried that further call of the House be dispensed with.

Question arising on the substitute motion that Senate Bill No. 113 be segregated from the report; motion was lost by the following vote:

Ayes: Abrahamson, Adair, Ballard, Benjamin, Bonine, Bricker, Brown, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Doran, Fulsher, Goodwin, Hagerty, Hardcastle, Harris, Holton, Jenson, Johnson, Jones (Cascade), Kelly, Knowles, Lamb, Larson, McCleary, Mason, Miller (Lincoln), Moss, Moulton, Nagle, O'Day, Plank, Plumer, Rife, Shields, Sparling, Troy, Willard, Woodcock, Mr. Speaker. Total—42.

Noes: Arnold, Benson, Barry, Besancon, Budas, Burns, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Fergus), Green (Dawson), Gustafson, Hodgskiss, Jones (Phillips), Jones (Ravalli), Kroman, Leavens, Leavitt, Lillis, Logan, McLeod, Marshall, Merritt, Miller (Fergus), Mulholland, Nelstead, Nicholson, Prescott, Reed, Rockwood, Rognlien, Rorvik, Ryder, Sample, Stambaugh, Steeves, Sutton, Throssel, Warren, Westlake, White. Total—49.

Absent and not voting: Akofer, Bretzke, Jameson, Knight, Lowry, Murphy, Nelson, Thorburn, Tierney, Tinsley, Waite. Total—11.

Question arising on the original motion that the report be adopted; motion carried.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 8.

THIRD READING OF SENATE BILLS

Senate Bill No. 87, introduced by Pauline, Church, Walker, Shelver and Delaney, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benson, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Nagle, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Ryder, Sample, Shields, Stambaugh, Steeves, Sutton, Throssel, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: Benjamin, Cavanaugh, Plumer, Rorvik. Total—4.

Absent and not voting: Akofer, Barry, Bretzke, Jameson, Knight, Knowles, Lowry, Murphy, Nelson, Sparling, Thorburn, Tierney, Tinsley, Troy, Waite. Total—15.

Senate Bill No. 102, introduced by Goodman, by request, having been read three several times, title and history agreed to, was not concurred in by the following vote:

Ayes: Abrahamson, Adair, Arnold, Benson, Bonine, Bricker, Burns, Clausen, Curran, Darlington, Dellwo, Dunn, Foot, Fulsher, Gustafson, Holton, Jones (Phillips), Jones (Ravalli), Leavens, Lillis, Mason, Merritt, Miller (Lincoln), Nagle, Nelstead, Reed, Steeves, Westlake, Mr. Speaker. Total—29.

Noes: Ballard, Benjamin, Besancon, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Donaldson, Doran, Dougherty, Erickson, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Hagerty, Hardcastle, Jensen, Johnson, Jones (Cascade), Kelly, Kroman, Lamb, Leavitt, Logan, McCleary, McLeod, Marshall, Miller (Fergus), Moss, Moulton, Mulholland, Nicholson, O'Day, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Sample, Stambaugh, Sutton, Throssel, Troy, Warren, White, Willard, Woodcock. Total—53.

Absent and not voting: Akofer, Barry, Bretzke, Harris, Hodgskiss, Jameson, Knight, Knowles, Larson, Lowry, Murphy, Nelson, Plank, Ryder, Shields, Sparling, Thorburn, Tierney, Tinsley, Waite. Total—20.

Senate Bill No. 113, introduced by Greenup, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Arnold, Besancon, Bricker, Budas, Burns, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Green (Fergus), Green (Dawson), Gustafson, Hodgskiss,

Johnson, Jones (Phillips), Jones (Ravalli), Knowles, Kroman, Leavens, Leavitt, Lillis, Logan, McLeod, Marshall, Merritt, Miller (Fergus), Nelstead, Rockwood, Rorvik, Ryder, Stambaugh, Steeves, Sutton, Throssel, Warren, Westlake, Mr. Speaker. Total—44.

Noes: Abrahamson, Adair, Ballard, Benjamin, Benson, Bonine, Brown, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Doran, Fulsher, Goodwin, Hagerty, Hardcastle, Holton, Jensen, Jones (Cascade), Kelly, Lamb, Larson, McCleary, Mason, Miller (Lincoln), Moulton, Mulholland, Nagle, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rognlien, Sparling, Troy, White, Willard, Woodcock. Total—41.

Absent and not voting: Akofer, Barry, Bretzke, Harris, Jameson, Knight, Lowry, Moss, Murphy, Nelson, Reed, Sample, Shields, Thorburn, Tierney, Tinsley, Waite. Total—17.

Senate Bill No. 126, introduced by Committee on Education, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Arnold, Benjamin, Benson, Bonine, Bricker, Burns, Cheadle, Clarke, Curran, Dellwo, Donaldson, Dougherty, Erickson, Foot, Flachsenhar, Green (Fergus), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Knowles, Larson, Leavens, Lillis, Logan, McLeod, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Nelstead, Nicholson, Plank, Plumer, Reed, Rife, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Sutton, Throssel, Troy, Warren, White, Woodcock, Mr. Speaker. Total—55.

Noes: Abrahamson, Adair, Ballard, Besancon, Brown, Budas, Burke, Cavanaugh, Chatham, Clausen, Cooney, Darlington, Doran, Dunn, Goodwin, Green (Dawson), Hardcastle, Jones (Cascade), Kelly, Kroman, Lamb, Leavitt, McCleary, Marshall, Mason, Mulholland, Nagle, Prescott, Rockwood, Steeves, Westlake, Willard. Total—32.

Absent and not voting: Akofer, Barry, Bretzke, Fulsher, Jameson, Knight, Lowry, Moss, Murphy, Nelson, O'Day, Thorburn, Tierney, Tinsley, Waite. Total—15.

THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 61, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bricker, Budas, Burke, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Steeves, Sutton, Throssel, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—80.

Noes: Cavanaugh. Total—1.

Absent and not voting: Akofer, Barry, Bretzke, Brown, Burns, Foot, Jameson, Jensen, Knight, Knowles, Lowry, Moss, Murphy, Nelson, Rockwood, Sample, Shields, Thorburn, Tierney, Tinsley, Waite. Total—21.

Senate amendments to House Bill No. 72, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Brown, Budas, Burke, Burns, Cheadle, Clarke, Clausen, Cooney, Curran, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Leavens, Leavitt, Lillis, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Nagle, Nelstead, O'Day,

Plank, Plumer, Prescott, Rife, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Steeves, Sutton, Throssel, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—75.

Noes: Cavanaugh. Total—1.

Absent and not voting: Akofer, Barry, Bretzke, Bricker, Chatham, Darlington, Foot, Jameson, Knight, Knowles, Larson, Logan, Lowry, McLeod, Moss, Murphy, Nelson, Nicholson, Reed, Rockwood, Sample, Shields, Thorburn, Tierney, Tinsley, Waite. Total—26.

Senate amendments to House Bill No. 267, having been read three several times, were concurred in by the following vote:

Ayes: Adair, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Kroman, Lamb, Leavens, Leavitt, Lillis, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Nagle, Nelstead, Nicholson, O'Day, Plank, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Steeves, Sutton, Throssel, Troy, Warren, Westlake, White, Willard, Woodcock. Mr. Speaker. Total—78.

Noes: Abrahamson, McCleary, Plumer. Total—3.

Absent and not voting: Akofer, Barry, Bretzke, Darlington, Foot, Jameson, Knight, Knowles, Larson, Logan, Lowry, Moss, Murphy, Nelson, Reed, Sample, Shields, Thorburn, Tierney, Tinsley, Waite. Total—21.

The Speaker gave notice that he was about to sign House Bill No. 289, House Bill No. 150, House Bill No. 175, House Bill No. 188, House Joint Resolution No. 5, House Bill No. 198, House Bill No. 216, House Bill No. 234, House Bill No. 262, House Bill No. 269, House Bill No. 305, and thereupon signed said bills.

The Speaker announced the appointment of the following committee to act with a like committee from the Senate for consideration of Senate amendments to House Bill No. 69: Leavitt of Custer, Dunn of Gallatin, Nagle of Lewis and Clark.

The Speaker announced the appointment of the following committee to act with a like committee from the Senate for consideration of Senate amendments to House Bill No. 309: Burns of Blaine, White of Richland, Ballard of Silver Bow.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:30 A. M., February 28th.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

FIFTY-SEVENTH DAY

House of Representatives,
Helena, Montana, February 28, 1927.

House convened, pursuant to adjournment, at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call, all members present except: Bretzke, excused for remainder of session; Lowry, excused for remainder of session.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifty-sixth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

The Speaker gave notice that he was about to sign Senate Bill No. 58, Senate Bill No. 94, Senate Bill No. 100, Senate Bill No. 101, Senate Bill No. 108, Substitute Senate Concurrent Resolution No. 9, and thereupon signed said bills.

REPORT OF SELECT COMMITTEES

The following report of select committees was received:

"Mr. Speaker: We, your select committee from the Appropriations Committee, appointed to investigate the water works and water supply used in connection with the Montana School for the Deaf and Blind at Boulder, Montana, beg leave to report as follows:

Your committee made a personal investigation of the water works and water supply for the said school and we find:

First. That the existing water system used in connection with said institution is entirely inadequate in case of fire, there being insufficient pressure:

Second. That the cost of operating the present system is approximately \$5,000.00 per year;

Third. That the water used in the said system is taken from wells and that the grains of hardness of such water is very high;

Fourth. We find that owing to the hardness of the water now used the pipes employed in the system rust out in about three years and that the replacement charges on account of such rust is about \$2,000.00 per year;

Fifth. That the cost of operating the water softener in connection with the steam boilers is about \$300.00 per year;

Sixth. That the life of the steam boilers and water heaters and tanks now used in connection with said system is reduced to about one-third of the average life of the same where soft water is used;

Seventh. That the capacity of the present storage tank is 50,000 gallons and that the consumption of water per 24 hour day is about 75,000 gallons, thereby making pumping of water necessary for about 16 hours of each day;

We further find that such pumps have been in use for the past 14 years and that owing to the ingredients in the hard water now used that the pipe lines are constantly filling up with scales, necessitating frequent replacement of the pipes.

We further find that there is no water supply at the Dairy Farm connected with the school, it being necessary to haul water for all domestic purposes at the farm, and for the watering of the livestock thereon.

In view of its findings, the committee recommends, first, that a new gravity water system be installed for the said school and that all of the water for such system be taken from the North Fork of the Little Boulder River, at a point designated by the State Engineer after a survey made by him in the year 1926; the water in said river being soft;

That pipe lines and reservoirs be installed according to the survey made by the State Engineer in 1926, and that the same be connected with the existing pipe lines of the distributing system now in use by the school;

That fire plugs be placed near all school buildings of the said institution not now supplied with the same, and that fire plugs be placed at appropriate points for the protection of life and of the buildings on the dairy farm connected with the said institution;

That the labor for the construction of the water system be performed, as far as possible, by the inmates of the State Penitentiary at Deer Lodge, Montana, under the supervision of the Warden of said Penitentiary, and that the inmates performing such labor be paid a small wage for their labor;

That the hauling of the materials necessary for the construction of such pipe lines and reservoirs be done by the trucks used in connection with the said School and that the State Purchasing Agent be authorized

to purchase all tools, implements and supplies necessary for the construction and completion of the said pipe lines and reservoirs.

Your committee earnestly recommends the employment of the convict labor and the services of the State Engineer, and the purchase of necessary supplies by the State Purchasing Agent, because, in the opinion of your committee, there will thereby be effected a saving to the State of Montana in the sum of approximately \$20,000.00; and further, there will be a saving of approximately \$7,000.00 per year, from the cost of operation and maintenance of the old water system, if a new system is installed.

Dated February 26, 1927.

Select Committee from the Appropriations Committee
of the House of Representatives of the Twentieth
Legislative Assembly:

ELMER JOHNSON, Chairman.
TINSLEY, Member.
S. H. KNOWLES, Member.

On motion of Johnson, report adopted.

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 314, House Bill No. 315.

GREEN of Dawson, Chairman."

Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 85, 178, 241, 81, 260, 199, 252, 107, 229 and 116.

MERRITT, Vice-Chairman."

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced by the Appropriations Committee, read first time by title, second time at length, and referred to the Appropriations Committee:

House Bill No. 319, by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money from the General Fund of the State of Montana to the Northern Montana Agricultural and Manual Training Fund."

House Bill No. 320, by Appropriations Committee: A Bill for an Act entitled: "An Act making a supplementary appropriation, authorizing, empowering and directing the State Board of Examiners to install a water works system at the Montana School for the Deaf and Blind at Boulder and appropriating money therefor and directing the manner in which it shall be expended."

House Bill No. 321, by Appropriations Committee: A Bill for an Act entitled: "A supplementary appropriation bill appropriating money out of the Treasury of the State of Montana for the collection of all non-resident inheritance taxes, oil production, license taxes, corporation license taxes, cement and plaster producers and dealers license taxes, coal miners and dealers license taxes, gross metals mines license taxes, all gross earnings taxes on freight lines, express companies, sleeping car line, and any other taxes determined by the State Board of Equalization, collection of which is transferred from the State Treasurer to the Board of Equalization by Senate Bill No. 85 of the Twentieth Legislative Assembly of 1927."

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, the majority of your Committee on Townships and Counties, having had under consideration Senate Bill No. 89, introduced by

Dell, respectfully report as follows: That Senate Bill No. 89 be not concurred in.

DONALDSON.
LOGAN.
CLAUSEN.
ANDREW GREEN (Fergus).
WOODCOCK.
MASON.
KROMAN.
CURRAN.
McLEOD.
DOUGHERTY.
R. S. O'DAY."

"Mr. Speaker: We, the minority of your Committee on Townships and Counties, having had under consideration Senate Bill No. 89, introduced by Dell, respectfully report as follows: That Senate Bill No. 89 be amended by striking out Senate amendments in line 190 of Section 1, and also by striking out Senate amendments in line 192 of Section 1, and that said bill when so amended be concurred in.

PLANK.
NICHOLSON.
SUTTON.
KELLY."

Moved by Donaldson, duly seconded, that the majority report be adopted.

Moved by Plank, as a substitute motion, duly seconded, that the minority report be adopted.

At this time Kelly asked to have his name taken from the majority report and added to the minority report.

Moved by Larson, as a substitute motion for all pending motions, duly seconded, that Senate Bill No. 89 be laid on the table.

Question arising on the substitute for all pending motions, that bill be laid on the table, same carried, by the following vote, roll call be asked for:

Ayes: Abrahamson, Akofer, Arnold, Bricker, Brown, Burns, Cavanaugh, Cheadle, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Mason, Merritt, Miller (Fergus), Moss, Moulton, Nelson, Nelstead, O'Day, Reed, Stambaugh, Steeves, Thorburn, Waite, White, Willard, Woodcock, Mr. Speaker. Total—59.

Noes: Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Budas, Burke, Chatham, Clarke, Fulsher, Hardcastle, Holton, Kelly, Knowles, Marshall, Miller (Lincoln), Mulholland, Murphy, Nicholson, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sutton, Throssel, Tierney, Tinsley, Troy, Warren, Westlake. Total—36.

Absent and not voting: Adair, Bretzke, Dellwo, Lowry, Nagle, Sample, Sparling. Total—7.

Moved by Bricker, duly seconded, that the House reconsider its action on the motion to lay Senate Bill No. 89 on the table; motion lost.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 319, introduced by the Appropriations Committee, respectfully report as follows: That House Bill No. 319 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 320, introduced by Appropriations Com-

mittee, respectfully report as follows: That House Bill No. 320 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 321, introduced by Appropriations Committee, respectfully report as follows: That House Bill No. 321 do pass.
REED, Chairman."

On motion of Reed, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Governor:

Helena, Montana, February 26, 1927.

"The Speaker, House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved House Bill No. 165, authorizing the State Board of Examiners to purchase additional lands for campus purposes at the University of Montana.

J. E. ERICKSON, Governor."

Helena, Montana, February 26, 1927.

"The Speaker, House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

House Bill No. 99—Relating to general and permanent powers of the Board of County Commissioners.

H. B. No. 177—Relating to the furnishing of medical attendance to the county poor.

H. B. No. 184—Appropriation for purchase of land for the State Industrial School at Miles City.

H. B. No. 220—Appropriation for insuring securities held by the State Treasurer.

H. B. No. 306—Appropriation for claims due the Industrial Accident Board as assessments against certain State Institutions.

J. E. ERICKSON, Governor."

The following communications were received from the Senate:

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion duly made and seconded, the Senate requests the recall of House Bill No. 208 for further consideration.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the request of the Senate be granted, and that House Bill No. 208 be returned to the Senate.

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate, this day, refused to concur in House amendments to Senate Bill No. 126 and asked for a conference committee to act with a like committee from the House to consider said amendments. Thereupon, the President appointed the following Senators: Eaton, Smith, Donovan.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the Speaker appoint a like committee from the House to act with the committee from the Senate for consideration of House amendments to Senate Bill No. 126.

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate, this day, refused to concur in House amendments to

Senate Bill No. 78 and asked for a conference committee to act with a like committee from the House to consider said amendments. Thereupon, the President appointed the following Senators: Gilboe, Greenup, Joffray.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the Speaker appoint a like committee from the House to act with the committee from the Senate for consideration of House amendments to Senate Bill No. 78.

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, upon the reading of the House communication relative to the vote by which the Joint Conference Committee on House amendments to Senate Bill No. 71 was not adopted, the President appointed a new committee, consisting of Senators: Sibbert, Henderson, Hazelbaker, to act with a like committee from the House for the consideration of House amendments to said bill.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the following communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, concurred in House amendments to Senate Bill No. 87.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate, this day, granted the request of the House for a conference committee to consider Senate amendments to House Bill No. 69, and the President appointed the following Senators: McCormick, Corrington, Church, to act with a like committee from the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate, this day, granted the request of the House for a conference committee to consider Senate amendments to House Bill No. 309, and the President appointed the following Senators: Paul, Henderson, Buttleman, to act with a like committee from the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate, this day, on roll call, concurred in House amendments to Senate Bill No. 113.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 27, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on roll call, the Senate concurred in House amendments to Senate Bill No. 57.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 27, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House bills were, upon recommendation of the

Committee of the Whole, not concurred in and bills are herewith returned to the House.

House Bill No. 228, by Barry and Ballard.

House Joint Resolution No. 9, by Committee on Public Morals.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 27, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees have this day reported as follows:

Committee on Finance and Claims report that H. B. No. 87 be amended as follows:

At line 27, Section 2, of said bill, page 1, by inserting the following after the figures "\$35,000.00":

"That the sum of \$15,000.00 shall be and the same is hereby set aside for the purpose of the payment of premiums on livestock, agricultural exhibits and such other exhibits as the State Fair Board shall designate and that the said sum of \$15,000.00 shall be used for no other purpose. That the sum of \$20,000.00 shall be used for the purpose of maintenance operation and other expenses of the Montana State Fair, and shall be used for no other purpose."

Amend on page 2, line 7, Section 3, by inserting the following after the figures "\$35,000.00":

"That the sum of \$15,000.00 shall be and the same is hereby set aside for the purpose of the payment of premiums on livestock, agricultural exhibits and such other exhibits as the State Fair Board shall designate, and that the said sum of \$15,000.00 shall be used for no other purpose. That the sum of \$20,000.00 shall be used for the purpose of maintenance, operation and other expenses of the Montana State Fair, and shall be used for no other purpose", and, as amended, it be concurred in.

Committee on Finance and Claims report that H. B. No. 183 be concurred in.

Committee on Finance and Claims report as follows:

That H. B. No. 265 be concurred in.

That H. B. No. 308 be concurred in.

That H. B. No. 90 be concurred in.

That H. B. No. 301 be concurred in.

That H. B. No. 302 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 27, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having under consideration business on General File, report and recommend as follows:

Report adopted.

That H. B. No. 253 be concurred in.

That H. B. No. 254 be concurred in.

That H. B. No. 222 be concurred in.

That H. B. No. 221 be concurred in.

That consideration of H. B. No. 163 be passed.

That H. B. No. 180 be amended in Section 1 by striking out in line 3 of the printed bill the words "but not" after "Districts" and inserting in lieu thereof the word "or", and by striking out the word "Twelve" in line 37 and inserting in lieu thereof the word "Thirty", and, as amended, it be concurred in.

That H. B. No. 194 be concurred in.

That H. B. No. 214 be concurred in.

That H. B. No. 261 be concurred in.

That H. B. No. 281 be concurred in.

That H. B. No. 101 be concurred in.

That House Substitute for H. B. No. 12 be amended in Section 31, by striking all of Section 31 and re-numbering the remaining sections to comply with this amendment, and, as amended, it be concurred in.

That H. B. No. 125 be amended in Section 1 by striking out in line 1 the words "for any reason" in the printed bill and inserting in line 2 after the word "court" the words "for irregularity in the assessment, levy, or sale". Amend in line 7 before the word "taxes" insert the word "legal" and, as amended, it be concurred in.

That H. B. No. 95 be amended in Section 5120 by inserting after the word "Department" the following "If an active member of the association".

Amend in Section 5120 by striking out in line 6 the word "three" and inserting in lieu thereof the word "five".

Amend in Section 5120 by striking out the word "Five" in line 4 and inserting in lieu thereof the word "Seven".

Amend in Section 5121 by striking out all of lines 7, 8, 9 and 10 to and including the word "association" and inserting in lieu thereof the words "The general management of the association shall be vested in a board of Trustees."

Amend in Section 5123 by striking out in line 13 after the word "trustees" all lines 13, 14, 15 and 16 up to and including the word "allowed" and inserting in lieu thereof the words "all claims shall be referred to the board of Trustees for allowance or disallowance and claimant shall have the right to appeal to the association in the event his claim be disallowed", and, as amended, it be concurred in.

That H. B. No. 283 be concurred in.

That H. Sub. to H. B. No. 264 be concurred in.

That H. J. R. No. 9 be not concurred in.

That H. B. No. 238 be concurred in.

That H. B. No. 298 be concurred in.

That H. B. No. 98 be concurred in.

That H. B. No. 242 be concurred in.

That H. B. No. 263 be amended as follows:

Amend H. B. No. 263 in the title by inserting after the second word "Act" in the first line the words "Amending Section 3569, Revised Codes of Montana, 1921, as amended by Chapter 35, Session Laws of 1923", and, as amended, it be concurred in.

That H. B. No. 274 be concurred in.

That H. B. No. 196 be amended in Section 1 by inserting in line 53 after the word "provided" the following: "In the event that no such bank exists in the county, city or town and no such bank exists convenient to such county, city or town willing to accept such deposits under the terms of this Act, and qualified as above provided, then the Board of County Commissioners of any county of the State of Montana, and the Council of any city or town of the State of Montana, shall have the power and authority and shall invest so much of the surplus funds of any such county, city or town, as is not needed for the immediate uses of the county, city or town, in United States government bonds or securities, state bonds or securities, county or city bonds, or other bonds or securities which are supported by general taxation, except irrigation bonds, provided, however, that all of such investments must first be approved by the State Examiner. Such bonds and securities shall be in the custody of such county, city or town treasurer and be held by him for the use and benefit of such county, city or town as the case may be. It shall be the duty of such treasurer to properly protect such securities by insurance, the use of safety deposit boxes, or other means, the expense of which shall be a proper charge against the particular county, city or town", and, as amended, it be concurred in.

That H. B. No. 228 be not concurred in.

That H. B. No. 147 be amended in Section 1 by striking out in line 6 the word "five" and inserting in lieu thereof the word "three".

Amend in Section 1 by striking out in line 11 the word "five" and inserting in lieu thereof the word "three", and, as amended, it be concurred in.

That H. B. No. 106 be concurred in.

That H. B. No. 271 be concurred in.

That H. B. No. 172 be concurred in.

That consideration of H. B. No. 186 be passed.

That H. B. No. 312 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

The Speaker appointed the following conference committee for consideration of House amendments to Senate Bill No. 126: Dellwo of Lake Holton of Garfield, Nicholson of Sweet Grass.

The Speaker appointed the following conference committee for consideration of House amendments to Senate Bill No. 78: Rockwood of Flathead, Curran of Roosevelt, Sparling of Daniels.

The Speaker gave notice that he was about to sign House Bill No. 107, House Bill No. 252, Substitute House Bill No. 85, House Bill No. 199, House Bill No. 178, House Bill No. 229, House Bill No. 241, House Bill No. 116, House Bill No. 81, House Bill No. 260, and thereupon signed said bills.

There being no objections House reverted to Order of Business No. 8.

THIRD READING OF HOUSE BILLS

House Bill No. 314, introduced by the Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Greer (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—88.

Noes: None.

Absent and not voting: Akofer, Bretzke, Dellwo, Donaldson, Greer (Dawson), Knowles, Holton, Kelly, Lowry, Moss, Nagle, Ryder, Tierney, Troy. Total—14.

House Bill No. 315, introduced by the Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Doran, Dougherty, Erickson, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—87.

Noes: None.

Absent and not voting: Bretzke, Cooney, Dellwo, Donaldson, Dunn, Foot, Green (Dawson), Knowles, Lowry, Mason, Moss, Nagle, Rockwood, Ryder, Tierney. Total—15.

There being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under the rules that proponents and opponents of bills be allowed ten minutes and others five minutes, on discussion of the main bill; that on amendments proponents and opponents be allowed five minutes and others three minutes, with no trading of time; that each member be allowed to talk only once, except proponents and opponents; that bills be read by history, title and section number only, except upon request of one member to have certain sections read at length.

Mr. Nelstead in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee on the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 96, Senate Bill No. 125, respectfully report as follows:

That Senate Bill No. 96 be not concurred in.

That Senate Bill No. 125, be concurred in.

NELSTEAD, Chairman."

Moved by Nelstead, duly seconded and carried that the report be adopted.

Moved by Bricker, duly seconded and carried, that the House recess until 1:30 P. M.

AFTERNOON SESSION

House resumed at 1:30 P. M.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration Substitute for Senate Bill No. 118, by Committee on Agriculture, respectfully report as follows: That Substitute for Senate Bill No. 118, be not concurred in.

JOHNSON, Chairman."

On motion of Budas, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 34, by Walker, respectfully report as follows: That Senate Bill No. 34, be concured in.

BURNS, Chairman."

On motion of Burns, report adopted.

At the request of Bricker, there being no objections House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under the rules that on discussion of the main bill proponents and opponents be allowed ten minutes and others five minutes; that on amend-

ments proponents and opponents be allowed five minutes and others three minutes, with no trading of time; that each member be allowed to talk only once, except proponents and opponents; that bills be read by history, title and section numbers only.

Mr. Donaldson in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 34, respectfully report as follows: That Senate Bill No. 34 be concurred in.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 8.

THIRD READING OF SENATE BILLS

Senate Bill No. 125, introduced by Swift, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Leavens, Lillis, Logan, McLeod, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plumer, Prescott, Reed, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: Leavitt, McCleary, Marshall, Rife, Rockwood. Total—5.

Absent and not voting: Bretzke, Burns, Cooney, Dellwo, Green (Dawson), Hodgskiss, Knowles, Larson, Lowry, Moss, Mulholland, Nagle, Plank, Thorburn. Total—14.

Senate Bill No. 34, introduced by Walker, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—90.

Noes: Plumer. Total—1.

Absent and not voting: Bretzke, Burns, Cooney, Dellwo, Green (Dawson), Knowles, Lowry, Moss, Mulholland, Plank, Ryder. Total—11.

There being no objections, House reverted to Order of Business No. 10.

SPECIAL ORDER

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House resolve itself into Committee of the Whole for consideration of Special Order of business set for 2:00 P. M. with respect to Senate Bill No. 28.

Mr. Donaldson in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 28, respectfully report as follows: That Senate Bill No. 28 be amended as follows: Section 15: By striking out in line 7, after the word "marked" the balance of line 7 and all of line 8, and inserting in lieu thereof the words "in the manner prescribed by the Public Service Commission"; also by inserting after the word "labeled" in line 9 of printed bill the following "in a conspicuous manner easily visible to the purchaser." Also by striking out in line 6 of printed bill the word "and" after the word packages, and inserting a comma, and add after the word containers, the words "and dispensers."

Section 2: Line 27 of the engrossed bill, by adding after the word "Dollar" the words "Per quarter" and on page 3, line 1, by striking out the words "One Dollar" and substituting in lieu thereof the words "Twenty-five Dollars", and that as so amended, said bill be re-referred to the committee.

DONALDSON, Chairman."

On motion of Donaldson, report adopted.

Moved by Bricker, duly seconded and carried, that the House recess until 3:30 P. M.

House resumed at 3:30 P. M.

Mr. Speaker in the chair.

There being no objections, house reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The following report of select committees was received:

Mr. Speaker: We, your Joint Conference Committee, having had under consideration House amendments to Senate Bill No. 78, beg leave to report and recommend as follows: That the Senate concur in House amendments.

GILBOE.

GREENUP.

JOFFRAY.

J. E. ROCKWOOD.

CURRAN.

SPARLING."

The report was adopted by the following vote:

Ayes: Adair, Akofer, Arnold, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dunn, Erickson, Fulsher, Goodwin, Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kroman, Lamb, Larson, Leavens, Lillis, Logan, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—78.

Noes: Knowles, McCleary. Total—2.

Absent and not voting: Abrahamson, Ballard, Bretzke, Brown, Burns Dellwo, Dougherty, Foot, Flachsenhar, Green (Fergus), Green (Dawson) Kelly, Knight, Leavitt, Lowry, McLeod, Merritt, Moss, Plank, Plumer Ryder, Sample. Total—22.

Printing committee reported as follows:

"Mr. Speaker: Your Committee on Printing, respectfully report House Bills Nos. 317, 318 and Sub. 313 as correctly printed.

COONEY, Chairman."

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration Senate Bill No. 17, introduced by Wuerthner, Gilboe and Porter, respectfully report as follows: That Senate Bill No. 17 be concurred in.

JAMESON, Chairman."

On motion of Jameson, report adopted.

"Mr. Speaker: We, your Committee on Petroleum, Oil and Gas Affairs, having had under consideration Senate Bill No. 28, by Paul, respectfully report as follows: That Senate Bill No. 28 be amended as follows: Amend the title by inserting a semi-colon after the word "thereof" and adding the following words "and making an appropriation for the purpose of carrying out the provisions of the Act". Amend the bill by inserting a new section immediately before Section 32 of the engrossed bill as follows: "that the sum of seventy-five hundred dollars or so much thereof as may be necessary be and the same is hereby appropriated out of any moneys in the automobile license fund not otherwise appropriated for the purpose of carrying out the provisions of this Act. Said moneys to be credited by the State Treasurer of the State of Montana to the State Gasoline Inspection fund herein above created.

Amend Section 2 by striking out the amendment offered by Sample in Committee of the Whole increasing the fees thereby leaving the fees the same as in the engrossed bill.

MOULTON, Chairman."

On motion of Moulton, report adopted.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Governor:

Helena, Montana, February 28, 1927.

"The Speaker, House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 146—Authorizing Wilsie M. Cramer to file a deficiency claim with the State Board of Examiners.

H. B. 269—Appropriating money for payment of the claim of Robert Fleming.

J. E. ERICKSON, Governor."

Moved by Bricker, duly seconded and carried, that the following communications from the Senate be considered read at length and the Journal so show:

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Substitute for House Bill No. 264 was this day read three several times and concurred in, title and history agreed to, and is herewith returned to the House.

Respectfully, J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 125 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Committee of Whole amendment:

Amend in Section 1 by striking out in line 1 the words "for any reason" in the printed bill and inserting in line 2 after the word "court" the words "for irregularity in the assessment, levy, or sale."

Amend in line 7 before the word "taxes" insert the word "legal."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Substitute House Bill No. 12 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Taxation amendments:

Amend by striking out in Section 9 thereof, in line 4 of page 7, of the engrossed bill the words "taxpaying freeholders" and by inserting in lieu thereof the words "taxpayers upon property";

Amend Section 9, line 11, of page 7 of the engrossed bill by striking out the words "taxpaying freeholders" and by inserting in lieu thereof the word "taxpayers";

Amend Section 12, in line 6 of the engrossed bill by striking out the words "taxpaying freeholders" and by inserting in lieu thereof the word "taxpayers";

Amend by striking out in Section 12, in line 18, of the engrossed bill the words "taxpaying freeholders" and inserting in lieu thereof the words "taxpayers upon property".

Committee of the Whole amendment:

Amend in Section 31 by striking all of Section 31 and re-numbering the remaining sections to comply with this amendment.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 95 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Counties and Towns amendments:

Amend in Section 1, line 15, by inserting after the words "organized fire department" the words "recognized by city council".

That the words and figures "One Thousand Dollars (\$1,000.00) in line 30 be stricken out and the words and figures "Seven Hundred Fifty Dollars (\$750.00)" be inserted in lieu thereof.

Committee of the Whole amendments:

Amend in Section 5120 by inserting after the word "Department" the following "If an active member of the association".

Amend in Section 5120 by striking out in line 6 the word "three" and inserting in lieu thereof the word "five".

Amend in Section 5120 by striking out the word "Five" in line 4 and inserting in lieu thereof the word "Seven".

Amend in Section 5121 by striking out all of lines 7, 8, 9, and 10 to and including the word "association" and inserting in lieu thereof the words "The general management of the association shall be vested in a Board of Trustees".

Amend Section 5 by striking out all of line 24 and inserting in lieu thereof the words "recommended by the State Auditor and approved by the State Examiner".

Committee on Counties and Towns:

That Section 6 be amended by inserting in sub-title No. 2, after the word "life" by striking out the period and inserting the words "in line of duty" followed by a period.

That Sub-title No. 3 be amended by striking out the period after the word "injury" and that the words "in line of duty" followed by a period be inserted.

Sub-title No. 4 be amended by striking out the period after the word "sickness" and that the words "in line of duty" followed by a period be inserted.

That sub-title No. 6 be amended by striking out the words "or gratuities".

Committee of Whole amendment:

Amend in Section 5123 by striking out in line 13 after the word "trustees" all lines 13, 14, 15 and 16 up to and including the word "allowed" and inserting in lieu thereof the words "all claims shall be referred to the Board of Trustees for allowance or disallowance and claimant shall have the right to appeal to the association in the event his claim be disallowed".

That Section 11 be amended by inserting after the word "departments" in line 13 the words "together with the volunteer fire department or departments recognized by the city or town council".

That Section 12 be amended in line 12 by inserting after the word "bond" the words "of not less than double the amount of all funds and securities in the hands of said treasurer".

That the word "fixed" at the end of line 13 be stricken out and the words "approved and paid for" be inserted in lieu thereof.

That the word "he" in line 16 be stricken out and the words "the State Examiner" inserted in lieu thereof.

Committee on Counties and Towns amendments:

That Section 14, of H. B. No. 95 be amended in line 16 by striking out the word "or" following the comma after the word "retire" and in lieu thereof the word "and" be inserted.

That line 17 be amended by striking out the words "or hereafter shall do".

That line 20 be amended by placing a period after the word "exists" and striking out all of the remainder of said line, together with the word "titled to such pension" in line 21.

Amend line 22 by striking out the word "above".

Amend Section 17 in Sub-title 2 by striking out the period after the word "disabled" and inserting in lieu thereof "in line of duty" followed by a period.

That Sub-title 3 be amended by striking out the period after the word "injury" and inserting in lieu thereof the words "in line of duty" followed by a period.

That Sub-title 4 be amended by striking out the period following the word "sickness" and that the words "in line of duty" followed by a period be inserted in lieu thereof.

That Sub-title 6 be amended by striking out the words "or gratuities."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees have this day reported as follows:

Committee on Finance and Claims report that H. B. No. 64 be amended as follows:

That in addition to all other amendments heretofore made by the Committee on Finance and Claims to House Bill No. 64, as contained in the reports of this committee heretofore submitted and attached, your committee desires to further amend House Bill No. 64 by striking out the words and figures "\$500.00" in line 23, page 2, of the original bill and inserting in lieu thereof the words and figures "\$2000.00".

That said bill be further amended at line 26, page 6 of the original bill by striking out the words and figures "\$500.00" and inserting in lieu thereof the words and figures "\$2000.00".

That said bill be further amended by inserting before line 4, page 4, of the original bill the words and figures "Investment Department \$500.00".

That said bill be further amended by inserting before line 6, page 8, of the original bill, "Investment Department \$500.00", and, as amended, it be concurred in.

Committee on Finance and Claims report that H. B. No. 110 be amended as follows:

That House Bill No. 110 be amended at lines 10 and 11, page 2, of the original bill by striking out the words and figures "\$5,580.00" and inserting in lieu thereof the words and figures "\$8,080.00".

That said bill be further amended by striking out all of lines 15 to 26 inclusive, on page 2 of the original bill and that the following words and figures be inserted after the word "follows" in line 14 of the original bill, "\$51,000.00".

That the words and figures in line 30 and 31, page 2, of the original bill "\$17,500.00" be stricken out and inserting in lieu thereof the words and figures "\$19,000.00".

That said bill be further amended by striking out lines 14, 15, and 16 of page 3 of the original bill.

That said bill be further amended by striking out the words and figures "\$12,500.00" at lines 25 and 26 of the original bill and inserting in lieu thereof the words and figures "\$15,000.00" and that the words and figures "\$4,300.00" at lines 29 and 30, page 3, of the original bill be stricken out and the words and figures "\$5,000.00" be inserted in lieu thereof.

That said bill be further amended by striking out the words and figures "\$9,300.00" at line 15, page 5, of the original bill and inserting in lieu thereof the words and figures "\$12,000.00".

That said bill be further amended at line 17 page 5 of the original bill by striking out the words and figures "\$3,000.00" and inserting in lieu thereof the words and figures "not to exceed \$3,300.00".

That said bill be amended by striking out the words and figures in line 18, page 5, of the original bill and inserting in lieu thereof the following: "Salary of three field men at \$2400.00 each, \$7200.00".

Amend at line 20, page 5, of the original bill by striking out the words and figures "\$3,000.00" and inserting in lieu thereof the words and figures "\$4,750.00".

Amend at line 21 and 22, page 7, of the original bill by striking out the words and figures "\$5,580.00" and inserting in lieu thereof the words and figures "\$8,080.00".

Amend by striking out all of lines 26, 27, 28, 29, 30, 31 and 32 of page 7 of the original bill and amend by striking out all of lines 1, 2, 3, 4, 5, of page 8 of the original bill and inserting after the word "follows" at line 25, the words and figures "\$51,000.00".

Amend further at lines 9 and 10, of page 8 of the original bill by striking out the words and figures "\$17,500.00" and inserting in lieu thereof the words and figures "\$19,000.00".

Amend at line 32, page 8, and line 1, page 9, by striking out the words and figures "\$12,500.00" and inserting in lieu thereof the words and figures "\$15,000.00".

Amend at lines 4 and 5, page 9 of the original bill by striking out the words and figures "\$4,300.00" and inserting in lieu thereof the words and figures "\$5000.00".

Amend at lines 17, page 11, of the original bill by striking out the words and figures "\$9300.00" and inserting in lieu thereof the words and figures "\$12,000.00".

Amend at line 19, page 11, of the original bill by striking out the words and figures "\$3,000.00" and inserting in lieu thereof the words and figures "not to exceed \$3,300.00".

Amend by striking out the words and figures at line 20, page 11 of said original bill and inserting the following: "Salary of three field men at \$2400.00 each \$7200.00".

Amend by striking out the words and figures "\$3,000.00" at line 22, page 11, of the original bill and inserting in lieu thereof the words and figures "\$4,000.00", and, as amended, it be concurred in.

Reports adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows:

That H. B. No. 183 be concurred in.

That H. B. No. 265 be concurred in.

That H. B. No. 301 be concurred in.

That H. B. No. 302 be concurred in.

That H. B. No. 308 be concurred in.

That H. B. No. 163 be amended in Section 1 by striking out beginning with the words "An equal amount" in line 19 all of the rest of the paragraph to the end of line 26. Also strike out all of lines 27 and 28.

Amend by striking out in line 32 beginning with the words "An equal amount" all the remainder of section through line 41, and renumber lines to conform to rest of section.

Amend in Section 2 by striking out in line 19, beginning with the words "An equal amount" all the remainder of the paragraph and lines 26 and 27.

Amend in Section 2 by striking out in line 31 beginning with the words "An equal amount" all the remainder of the section through line 40 and renumber the lines to conform to the remainder of the section and, as amended, it be concurred in.

That H. B. No. 147 be amended in Section 1 by striking all of amendment made by the standing committee.

Amend Section 1 by striking out in line 6 and 11 the words and figures "3" and inserting in lieu thereof the words and figures "5", and, as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on Special Order, report and recommend as follows:

That H. B. No. 50 be amended in Section 21 by striking out in line 14 the words "sixty days" and inserting in lieu thereof the words "six months".

Amend in Section 34 by striking out the last sentence of the first paragraph starting with the word "provided" and ending with the word

"debt" commencing on line 3 and ending on line 6 of the engrossed bill and substituting in lieu thereof the following: "Provided however, that no such dividend shall be declared or paid, which together with bad debts of the bank at the time of declaration of such dividend, shall exceed its undivided profits." Also that the words "and before any dividends can be paid" on line 7, page 30, be eliminated.

Also eliminate the last sentence of the second paragraph beginning with the words "such bad debts" on line 13.

Amend in Section 41 by inserting after the words "or for" in line 10 of the printed bill the words "authorizing and".

Amend in Section 41 by inserting in line 6 after the comma following the word "Commission" the following words "any premium on insurance."

Amend in Section 54 by striking out in line 24 of the engrossed bill all of the last part of the paragraph, commencing with the word "provided" and ending with the word "Act" in line 28. Also that the portion of this section which is hereby eliminated be added to and made the closing sentence of Section 53.

Amend by striking out all of Section 59 of this bill.

Amend Section 65 by striking out the same and inserting the following in lieu thereof:

"Section 65. Reports Confidential; False Reports; Penalties for the Violation Thereof. The report and any information contained in the reports and statements hereinabove provided for, other than such reports as are required to be published, shall be deemed to be secret and for the confidential information of the Superintendent of Banks only, and such information shall not be imparted to any persons who are not officially associated in and with the office of the Superintendent of Banks, and the information therein contained shall be used by the Superintendent of Banks only in the furtherance of his official duties, except that it shall be lawful for the department to exchange information with the federal banking department and with departments of other states and to furnish information to prosecuting officials who request the same for use in pursuit of official duties. Any Superintendent of Banks or deputy, assistant, examiner, or clerk in his employ, who violates any of the provisions of this section, or wilfully makes a false official report as to the condition of any bank, shall be removed from office, and shall also be deemed guilty of a felony and upon conviction thereof shall be punished by a fine of not exceeding one thousand dollars, or by imprisonment in the state penitentiary for not exceeding five years, or by both such fine and imprisonment. And any official, person or persons, herein mentioned, violating any provisions of this section, in addition to the penalties therein provided shall be liable with his bondsmen, in damages to the person or corporation injured by such false report or by the disclosure of such secrets or confidential information".

Amend Section 73, by striking out in lines 5 and 6 of said section, the words "For the use and benefit of the General Fund of the State of Montana."

Amend Section 73 by substituting the words "Three Hundred Dollars" instead of "Two Hundred Dollars" on the third line on page 4, of the engrossed bill as amended.

Amend Section 73 by striking out all of said section from lines 49 to 60 both inclusive.

Amend Section 75 by striking out in line 15 of the engrossed bill, page 51, immediately after the words "United States", the word "Stocks" and substituting in lieu thereof the words "bonds".

Amend in Section 82 by inserting at the end of Section 82 the following sentence: "Nothing in this section shall apply to any person, firm or association now conducting a private banking business in this state, which bank is now authorized by the State Banking Department to do a banking business."

Amend Section 85 by striking out in line 28 of page 55 of the engrossed bill the word "public" and substituting in lieu thereof the word "prosecuting".

Amend Section 85 by striking out the same and inserting the following in lieu thereof:

Section 85. Information Obtained by State Examiner to Be Deemed Confidential; Penalty for the Violation Thereof. Any knowledge or information gained or discovered by the State Superintendent of Banks, in pursuance of his powers or duties as herein prescribed, shall be deemed confidential information of the State Examiner's office only, and such information shall not, except as herein provided, be imparted to any person or persons who are not officially associated in and with the office of the State Examiner, and such information shall be used by the State Examiner only in the furtherance of his official duties, except that it shall be lawful for the department to exchange information with the Federal Banking Department and departments of other states and to furnish information to prosecuting officials who require the same for use in pursuit of official duties. Any State Examiner or deputy, assistant, or clerk in his employ who violates any of the provisions of this section, or wilfully makes a false official report as to the condition of any bank, shall be removed from office, and shall also be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine of not exceeding one thousand dollars or by imprisonment in the state penitentiary for not exceeding five years, or by both such fine and imprisonment. Any official, person or persons, herein mentioned, violating any provisions of this section, in addition to the penalties therein provided shall be liable, with his bondsmen in damages to the person or corporation injured by such false report or by the disclosure of such secrets or confidential information".

Amend Section 100 by striking out in line 27, page 61, of the engrossed bill the word "for" between the words "information" and substituting in lieu thereof the word "or".

Amend Section 118 by striking out all of said section.

Amend Section 117 by striking out in line 2 after the word "who" the word "maliciously" and after the word "or" the word "wilfully".

Amend Section 121 by striking out in line 5 after the word "law" all the remainder of line 5 and all of line 6.

Amend Section 90 by striking out all the section following the word "same" in line 5, and inserting in lieu thereof the words "not later than the following banking business day."

Amend the title by inserting after the word "Department" in line 7 of the printed bill the words "Creating a fund to be known as the State Examiner's Fund."

Amend by renumbering sections of the bill correctly, and as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

There being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried that the Enrolling Clerk be instructed by the House to amend the Engrossed Bill No. 85, in line 28 of Section 1, by inserting after the word "Codes" the following: "of Montana."

There being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House resolve itself into Committee of the Whole for consideration of General Orders, under the same rules as previous sitting.

Mr. Donaldson in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 28, Senate Bill No. 17, Senate amendments to Sub. H. B. No. 12, Senate amendments to H. B. No. 95, Senate amendments to House Bill No. 125, respectfully report as follows: That Senate Bill No. 28 be concurred in.

That Senate Bill No. 17 be concurred in.

That Senate amendments to Substitute House Bill No. 12 be concurred in.

That Senate Amendments to House Bill No. 95 be concurred in.

That Senate amendments to House Bill No. 125 be concurred in.

DONALDSON, Chairman."

Moved by Donaldson, duly seconded, that the report be adopted.

Moved by Stambaugh, as a substitute motion, duly seconded, that Senate Bill No. 28 be segregated from the report.

Question arising on the substitution motion to segregate Senate Bill No. 28 from the report, same was lost.

Question arising on the original motion to adopt the report, same carried.

Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: 72 and 267.

WAITE, Chairman."

The Speaker gave notice that he was about to sign Senate Joint Memorial No. 4, Senate Joint Resolution No. 8, Substitute Senate Bill No. 26, Senate Bill No. 57, House Bill No. 72, House Bill No. 267, and thereupon signed the same.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 8.

THIRD READING OF SENATE BILLS

Senate Bill No. 28, introduced by Paul, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Adair Akofer, Ballard, Benson, Besancon, Bonine, Bricker, Brown, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dunn, Erickson, Flachsenhar, Green (Fergus), Gustafson, Hagerty, Harcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Cascade), Knight, Larson, Leavens, Leavitt, Lillis, Logan, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Moulton, Murphy, Nagle, Nelson, O'Day, Plumer, Reed, Rognlien, Rorvik, Shields, Sparling, Stambaugh, Throssel, Troy, Waite, Westlake, Willard, Mr. Speaker. Total—61.

Noes: Abrahamson, Benjamin, Budas, Burke, Chatham, Dougherty, Foot, Fulsher, Goodwin, Green (Dawson), Jones (Ravalli), Kelly, Knowles, Kroman, Lamb, McCleary, Miller (Lincoln), Mulholland, Nelstead, Nicholson, Prescott, Rife, Rockwood, Sample, Steeves, Sutton, Thorburn, Tierney, Tinsley, Warren, White, Woodcock. Total—32.

Absent and not voting: Arnold, Barry, Bretzke, Dellwo, Jones (Phillips), Lowry, Moss, Plank, Ryder. Total—9.

Senate Bill No. 17, introduced by Wuerthner, Gilboe and Porter, having been read three several times, title and history agreed to, being a constitutional amendment and requiring a two-thirds vote was not concurred in by the following vote:

Ayes: Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bricker, Budas, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Dougherty, Erickson, Flachsenhar, Fulsher, Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Knowles, Larson, Leavens, Lillis, Logan, McLeod, Miller (Fergus), Nelstead, Nicholson, O'Day, Reed, Rognlien, Rorvik, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—60.

Noes: Abrahamson, Adair, Barry, Burke, Chatham, Doran, Foot, Goodwin, Green (Fergus), Kelly, Knight, Kroman, Lamb, Leavitt, McCleary, Marshall, Mason, Merritt, Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Plumer, Prescott, Rife, Rockwood, Sample, Tierney, Willard. Total—30.

Absent and not voting: Bretzke, Brown, Dellwo, Dunn, Green (Dawson), Jones (Phillips), Lowry, Moss, Nelson, Plank, Ryder, Shields. Total—12.

There being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

Senate amendments to Substitute House Bill No. 12, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Curran, Darlinton, Donaldson, Dougherty, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Prescott, Reed, Rife, Rognlien, Ryder, Sample, Sparling, Stambaugh, Sutton, Thorburn, Throssel, Tierney, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: Clausen, Plumer, Steeves, Tinsley. Total—4.

Absent and not voting: Bretzke, Bricker, Dellwo, Doran, Dunn, Goodwin, Green (Dawson), Knowles, Lowry, Moss, Plank, Rockwood, Rorvik, Shields, Waite. Total—15.

Senate amendments to House Bill No. 95, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Benson, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Doran, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Kroman, Larson, Leavens, Leavitt, Lillis, Logan, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Rockwood, Rognlien, Rorvik, Ryder, Sample, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—73.

Noes: Ballard, Barry, Chatham, Hardcastle, Kelly, Lamb, McCleary, Mulholland, Plumer, Prescott, Rife. Total—11.

Absent and not voting: Bretzke, Dellwo, Donaldson, Dougherty, Fulsher, Green (Dawson), Johnson, Lowry, McLeod, Merritt, Moss, Plank, Reed, Shields, Knowles, Stambaugh, Troy, Waite. Total—18.

Senate amendments to House Bill No. 125 were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle,

Clarke, Clausen, Curran, Doran, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nestead, Nicholson, Plumer, O'Day, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tinsley, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Ballard, Benjamin, Benson, Bretzke, Cooney, Darlington, Dellwo, Donaldson, Dougherty, Green (Dawson), Knowles, Lowry, Moss, Plank, Shields, Tierney, Troy, Waite. Total—18.

At the request of Sample, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Sample, duly seconded, that the House reconsider its action on Senate Bill No. 17.

Call of the House asked for by Bricker, seconded by fifteen members.

On roll call the following members were found to be absent; Bretzke, excused; Lowry, excused; Plank, excused; Shields, excused.

Moved by Bricker, duly seconded and carried, that further call of the House be dispensed with.

Question arising on the motion to reconsider action on Senate Bill No. 17, same carried.

Moved by Sample, duly seconded and carried, that Senate Bill No. 17 be placed on third reading.

There being no objections, House reverted to Order of Business No. 8.

THIRD READING OF SENATE BILLS

Senate Bill No. 17, introduced by Wuerthner, Gilboe and Porter: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 4 of Article XVI of the Constitution of Montana, relating to County Commissioners; providing for the division of counties into commissioners districts; providing for the election of one commissioner from each of said commissioners districts."

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. There shall be submitted to the qualified electors of the State of Montana at the next general election to be held in said State, the following amendment to Section 4 of Article XVI of the Constitution of the State of Montana relating to County Commissioners.

That Section 4 of Article XVI of the Constitution of the State of Montana, be amended so as to read as follows:

"Section 4 (of Article XVI). In each county there shall be elected three County Commissioners, whose term of office shall be six years; provided that each county in the State of Montana shall be divided into three Commissioner Districts, to be designated as Commissioner Districts, numbers, one, two and three, respectively.

"The Board of County Commissioners shall in every county in the State of Montana, at their regular session, on the first Monday in May, 1929, or as soon thereafter as convenient or possible, not exceeding 60 days thereafter, meet and by and under the direction of the District Court Judge or Judges of said county, divide their respective counties into three Commissioner Districts as compact and equal in population and area as possible, and number them respectively, one, two and three, and when such division has been made, there shall be filed in the office of the County Clerk and

Recorder of such county, a certificate designating the metes and bounds of the boundary lines and limits of each of said Commissioners Districts which certificate shall be signed by said Judge or Judges; provided, also that at the first regular session of any newly organized and created county the said Board of County Commissioners, by and under the direction of the District Court Judge or Judges of said county, shall divide such new county into Commissioner Districts as herein provided.

"Upon such division, the Board of County Commissioners shall assign its members to such districts in the following manner; each member of the said Board then in service shall be assigned to the district in which he is residing or the nearest thereto; the senior member of the Board in service to be assigned to the Commissioner District No. 1, the next member in seniority to be assigned to Commissioner District No. 2, and the junior member of the board to be assigned to Commissioner District No. 3; provided, that at the first general election of any newly created and organized county, the commissioner for District No. 1, shall be elected for two years, for No. 2, for four years, and for No. 3, for six years, and biennially thereafter there shall be one Commissioner elected to take the place of the retiring Commissioner, who shall hold his office for six years.

"That the Board of County Commissioners by and under the direction of the District Court Judge or Judges of said County, for the purpose of equalizing in population and area such Commissioner Districts, may change the boundaries of any or all the Commissioner Districts in their respective county, by filing in the office of the County Clerk and Recorder of such county, a certificate signed by said Judge or Judges designating by metes and bounds the boundary lines of each of said Commissioner Districts as changed, and such change in any or all the districts in such county, shall become effective from and after filing of such certificate: provided, however, that the boundaries of no Commissioner District shall at any time be changed in such a manner as to affect the term of office of any County Commissioner who has been elected, and whose term of office has not expired; and provided, further, that no change in the boundaries of any Commissioner District shall be made within six months next preceding a general election.

"At the general election to be held in 1930. and thereafter at each general election, the member or members of the Board to be elected, shall be selected from the residents and electors of the district or districts in which the vacancy occurs, but the election of such member or members of the Board shall be submitted to the entire electorate of the county, provided, however, that no one shall be elected as a member of said board, who has not resided in said district for at least two years next preceding the time when he shall be come a candidate for said office.

"When a vacancy occurs in the Board of County Commissioners the Judge or Judges of the Judicial District in which the vacancy occurs, shall appoint someone residing in such Commissioner District where the vacancy occurs, to fill the office until the next general election when a Commissioner shall be elected to fill the unexpired term".

Section 2. The vote upon this amendment shall be counted and canvassed by such officials and in such manner as is provided by law for the counting and canvassing of the votes for members of Congress and if a majority of all votes cast at said election for and against said amendment shall be in favor of the amendment, the Governor of the State shall immediately so declare by public proclamation, and said amendment shall be in full force and effect as a part of the Constitution from and after the date of said proclamation.

Section 3. Separate official ballots shall be used at the general election to be held in November, 1928, which shall have printed thereon the words:

☐ For the amendment to the Constitution relating to County Commissioner Districts".

☐ Against the amendment to the Constitution relating to County Commissioner Districts.

And the elector shall designate his preference for either of the propositions by making an (X) before the proposition desired.

Section 4. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 5. This Act shall be in full force and effect from and after its passage and approval."

The foregoing Senate Bill No. 17, by Wuerthner, Gilboe, and Porter, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Akofer, Arnold, Benjamin, Benson, Besancon, Bonine, Bricker, Brown, Budas, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knowles, Kroman, Larson, Leavens, Leavitt, Lillis, Logan, Marshall, Merritt, Miller (Fergus), Moss, Nelson, Nelstead, Nicholson, O'Day, Reed, Rognlien, Rorvik, Ryder, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—72.

Noes: Abrahamson, Adair, Ballard, Barry, Burke, Chatham, Doran, Goodwin, Green (Fergus), Hardcastle, Kelly, Knight, Lamb, McCleary, McLeod, Mason, Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Plumer, Prescott, Rife, Rockwood, Willard. Total—26.

Absent and not voting: Bretzke, Lowry, Plank, Shields. Total—4.

The Speaker gave notice that he was about to sign Senate Bill No. 85, and thereupon signed the same.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM THE SENATE

The following communication was received from the Senate:

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate, upon motion duly made and seconded, requests the return of House Bill No. 228 for further consideration.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the request of the Senate be granted and that House Bill No. 228 be returned to the Senate.

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:00 A. M. March 1st.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

FIFTY-EIGHTH DAY

House of Representatives,
Helena, Montana, March 1, 1927.

House convened, pursuant to adjournment, at 10:00 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all members present except: Bretzke, excused; Lowry, excused.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifty-seventh legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlinton, report adopted.

On motion of Bricker, the House was at ease for fifteen minutes, while Judge Day of Helena, and Representative Besancon of Missoula, addressed the Assembly on behalf of the wife of Ex-Governor Robert B. Smith.

House resumed.

Mr. Speaker in the chair.

Moved by Bricker, duly seconded and carried, that the matters discussed by Judge Day and Representative Besancon be referred to the Appropriations Committee.

REPORTS OF SELECT COMMITTEES

The following reports of select committees were received:

"Mr. Speaker: We, your conference committee appointed to consider House amendment to Senate Bill No. 71, reported as follows: The House recede from its amendment to Section 1 by striking the words "knowledge that" in line 31 of the engrossed bill.

House Conference Committee:

LEAVENS.

RIFE.

JONES of Phillips.

Senate Conference Committee:

SIBBERT.

HAZELBAKER.

HENDERSON."

The conference committee report was adopted by the following vote:

Ayes: Abrahamson, Akofer, Benjamin, Benson, Besancon, Bricker, Budas, Burke, Chatham, Cheadle, Clarke, Clausen, Curran, Darlinton, Donaldson, Doran, Dougherty, Dunn, Green (Fergus), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Knight, Knowles, Lamb, Leavens, Lillis, Logan, McLeod, Marshall, Merritt, Miller (Fergus), Moulton, Murphy, Nelstead, Nicholson, Plank, Plumer, Reed, Rife, Ryder, Sample, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—62.

Noes: Adair, Arnold, Ballard, Barry, Bonine, Brown, Cavanaugh, Cooney, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Hardcastle, Johnson, Jones (Cascade), Kroman, Larson, Leavitt, McCleary, Mason, Miller (Lincoln), Mulholland, Nagle, Nelson, O'Day, Prescott, Rockwood, Rog-nien, Rorvik, Shields, Sparling, Tierney. Total—33.

Absent and not voting: Bretzke, Burns, Dellwo, Green (Dawson), Kelly, Lowry, Moss. Total—7.

"Mr. President and Mr. Speaker:

The following Joint Conference Committee report on House Bill No. 266 was submitted:

We, your Joint Conference Committee, appointed on House Bill No. 266, introduced by Plank, Tinsley, Rife and Bonine, recommend that the House concur in the Senate amendment.

R. S. PAULINE.

L. F. GREENUP.

S. H. PORTER.

ANDREW GREEN.

L. PLANK.

DOUGHERTY.

The conference committee report was adopted by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Doran, Dougherty, Dunn, Foot, Flachsenhar, Fulsher, Goodwin, Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Lillis, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlike, White, Willard, Woodcock, Mr. Speaker. Total—80.

Noes: Donaldson, Erickson, Leavens, Leavitt, Logan, McCleary, Nestead, Rorvik, Ryder, Sample, Sparling. Total—11.

Absent and not voting: Bretzke, Dellwo, Green (Fergus), Green (Dawson), Holton, Kelly, Lowry, Moss, Nagle, Reed, Shields. Total—11.

Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill No. 61.

MERRITT, Vice-Chairman."

REPORTS OF STANDING COMMITTEES

The following report of standing committees was received:

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 64, by Duncan and Paul, respectfully report as follows: That Senate Bill No. 64 be not concurred in.

BURNS, Chairman."

On motion of Burns, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Governor:

Helena, Montana, March 1, 1927.

"The Speaker, House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved House Bill No. 124, providing for the establishing of a manufacturing plant for the manufacture of auto license number plates at the State Penitentiary at Deer Lodge.

J. E. ERICKSON, Governor."

Moved by Bricker, duly seconded and carried, that the following communications received from the Senate, be considered read at length and the Journal so show.

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 263 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee of Whole amendments:

Amend H. B. No. 263 in the title by inserting after the second word "Act" in the first line the words: "Amending Section 3569, Revised Codes of Montana, 1921, as amended by Chapter 35, Session Laws of 1923".

Amend Section 1 by striking out all of said Section after the word "of" in line 10 and adding thereto the following: "Five Dollars for all stations handling less than fifteen hundred pounds of butter fat per month; Ten Dollars for all stations handling fifteen hundred pounds and less than three thousand pounds; Fifteen Dollars per month for all station handling three thousand pounds and less than six thousand pounds; Twenty Dollars for all stations handling six thousand pounds and over."

Amend Section 2 by striking out all of lines 16 and 17 after the word "contain" in line 16 and adding thereto the following: "floor space large enough for all equipment in said station, including cooling tank of sufficient size to hold all cream bought or collected at such station on each day."

Amend Section 2 by inserting in line 18 after the word "stations" the following "collecting more than fifteen hundred (1500) pounds of butter fat per month".

Amend in line 22 after the word "station", by inserting the following "collecting more than fifteen hundred (1500) pounds of butter fat per month."

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 242 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Fairs and Expositions amendment:

Amend in Section 2, line 20, by inserting after the word "Secretary" the words "not exceeding Twenty-five Dollars per month".

Amend Section 3 following the period after the word "Commission" in line 8 by inserting the following words and punctuation; "Nothing in this act shall be construed as relating to or prohibiting amateur boxing or wrestling exhibitions conducted in and by regularly organized amateur clubs, schools and gymnasiums."

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 238 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Finance and Claims amendments:

Amend by striking out the words "furniture and" and inserting after the word "Fixtures" in line 7 of the title the words "and equipment."

Amend by striking out the words "furniture and" at line 19, page 1, of the original bill and that the words "and equipment" be added after the word "fixtures", in line 19, page 1. of the original bill.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 196 was this day read three several times and concurred in as amended title agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee of Whole amendment:

Amend in Section 1 by inserting in line 53 after the word "provided" the following: "In the event that no such bank exists in the county, city or town and no such bank exists convenient to such county, city or town willing to accept such deposits under the terms of this Act, and qualified as above provided, then the Board of County Commissioners of any county of the State of Montana, and the Council of any city or town of the State of Montana, shall have the power and authority and shall invest so much of the surplus funds of any such county, city or town, as is not needed for the immediate uses of the county, city or town, in United States Government bonds or securities, state bonds or securities, county or city bonds, or other bonds or securities which are supported by general taxation, except irrigation bonds, provided, however, that all of such investments must

first be approved by the State Examiner. Such bonds and securities shall be in the custody of such county, city or town treasurer and be held by him for the use and benefit of such county, city or town as the case may be. It shall be the duty of such treasurer to properly protect such securities by insurance, the use of safety deposit boxes, or other means. the expense of which shall be a proper charge against the particular county, city or town".

Committee on Banks and Banking amendments:

Amend on page 2, line 73 of the printed bill, by striking out the word "March" and inserting in lieu thereof the word "January".

Amend on page 2 of the printed bill by placing the character "." after the word "bond" in line 76 in lieu of the character ","

Strike out the balance of Section 1.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 180 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee of Whole amendment:

Amend in Section 1 by striking out in line 36 of the printed bill the words "but not" after "Districts" and inserting in lieu thereof the word "or" and by striking out the word "Twelve" in line 37 and inserting in lieu thereof the word "Thirty".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 98 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments;

Committee on Judiciary amendments:

Amend by striking out the word "pendency" in line 31 of the engrossed bill, page 1, and inserting in lieu thereof the word "hearing."

Amend by striking out all of line 26 on page 2 after the period in said line.

Strike out all of line 27 and the first two words in line 28 and inserting in lieu thereof, the following: "When another judge has assumed jurisdiction of an action, motion, or proceeding".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 172 was this day read three several times and not concurred in and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills, upon recommendation of standing committees, were not concurred in. Reports adopted and bills are herewith returned to the House:

Finance and Claims Committee—H. B. No. 307.

Sub. for H. B. No. 227—Judiciary Committee.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House bills were this day read three several times and concurred in, title agreed to, and are herewith transmitted to the House:

H. B. No. 101, by Rockwood and Hodgskiss.

H. B. No. 106, by Benjamin.

H. B. No. 214, by Holton, Cavanaugh and Foot.

H. B. No. 221, by Committee on Revenue and Taxation.

H. B. No. 222, by Committee on Revenue and Taxation.

H. B. No. 253, by Committee on Revenue and Taxation at request of State Board of Equalization.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, February 28, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the standing committees have this day reported as follows:

Fish and Game Committee report that H. B. No. 159 be amended in Section 4 by striking out in line 6 of the printed bill after the word "license", the words and figures "Twenty-five Dollars (\$25.00)" and inserting in lieu thereof the words and figures "Two Dollars and Fifty Cents (\$2.50)";

That section to be numbered 6, to follow Section 5, be inserted in said bill as follows:"

"Section 6. Nothing in this act shall be construed to apply to any person, firm or corporation, who deals in finished or manufactured articles made of fur in part or whole, unless such person, firm or corporation is likewise engaged in tanning, preparing or manufacturing the same from raw or untanned fur, in which event such person, firm or corporation, shall be deemed a fur dealer within the meaning of this Act";

That Section 6 of the original bill be re-numbered as Section 7, and that Section 7 of the original bill be re-numbered as Section 8; and, as amended, it be concurred in.

Committee on Counties and Towns amend by inserting in H. B. No. 226 after the word "whatever" in line 18, page 1, being in Section 2 of the engrossed bill, the following: "Provided, a police officer serving in the United States Army or /and or Navy, in time of war or national emergency shall be given credit upon his police record for such service in the same manner as though on active police duty for such time.

Amend paragraph 5 of the engrossed bill by inserting in line 11 of page 2 of the bill after the word "payments" the following: "from the funds in this act provided for".

Amend Section 10 of the engrossed bill by striking out at the end of line 18. on page 3. the period, and inserting the word "and", and, as amended, it be concurred in.

Committee on Counties and Towns report that H. B. No. 268 be concurred in.

Committee on Judiciary report that Sub. for H. B. No. 227 be concurred in.

Committee on Banks and Banking reported that H. B. No. 224 be concurred in.

Committee on Finance and Claims report that H. B. No. 307 be not concurred in and that H. B. No. 197 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

The Speaker gave notice that he was about to sign House Bill No. 61, and thereupon signed the same.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under the rules that on discussion of the main bill, proponents and opponents be allowed five minutes and others three minutes, with no trading of time; that on amendments, proponents and opponents be allowed three minutes and others two minutes; that each member be allowed to talk only once except proponents and opponents; that bills be read by history, title and section numbers only, except upon request of one member to have certain sections read at length.

Mr. Nelson in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Substitute House Bill No. 313, House Bill No. 317, House Bill No. 318, Senate amendments to House Bill No. 98, Senate amendments to House Bill No. 180, Senate amendments to House Bill No. 196, Senate amendments to House Bill No. 238, Senate amendments to House Bill No. 242, Senate amendments to House Bill No. 263, respectfully report as follows:

That Substitute House Bill No. 313 do pass.

That House Bill No. 317 do pass.

That House Bill No. 318 do pass.

That Senate amendments to House Bill No. 98 be concurred in.

That Senate amendments to House Bill No. 180 be concurred in.

That Senate amendments to House Bill No. 196 be not concurred in, and request a conference committee.

That Senate amendments to House Bill No. 238, be concurred in.

That Senate amendments to House Bill No. 242 be concurred in.

That Senate amendments to House Bill No. 263 be concurred in.

NELSON, Chairman."

On motion of Nelson, report adopted.

THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 98, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Kelly, Knight, Kroman, Lamb, Leavens, Leavitt, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: None.

Absent and not voting: Adair, Bretzke, Brown, Dellwo, Fulsher, Green (Dawson), Hodgskiss, Jones (Ravalli), Jones (Cascade), Knowles, Larson, Lillis, Lowry, Moss, Moulton, Ryder, Shields, Troy, White. Total—19.

Senate amendments to House Bill No. 180, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Akofer, Ballard, Benson, Bonine, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss,

Holton, Jameson, Jones (Phillips), Jones (Ravalli), Kelly, Knight, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—77.

Noes: Plumer. Total—1.

Absent and not voting: Adair, Arnold, Benjamin, Barry, Besancon, Bretzke, Brown, Cheadle, Dellwo, Green (Fergus), Green (Dawson), Jensen, Johnson, Jones (Cascade), Knowles, Larson, Lowry, Moss, Murphy, Ryder, Shields, Troy, White, Mulholland. Total—24.

Senate amendments to House Bill No. 238, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Ravalli), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—86.

Noes: None.

Absent and not voting: Adair, Bretzke, Cooney, Dellwo, Green (Dawson), Holton, Johnson, Jones (Phillips), Jones (Cascade), Knowles, Lowry, McCleary, Moss, Ryder, Shields, Troy. Total—16.

Senate amendments to House Bill No. 242, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—82.

Noes: McCleary. Total—1.

Absent and not voting: Adair, Barry, Bretzke, Cooney, Dellwo, Green (Dawson), Johnson, Jones (Cascade), Knowles, Lowry, Moss, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Troy. Total—19.

Senate amendments to House Bill No. 263, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Steeves, Sutton, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—81.

Noes: Cheadle. Total—1.

Absent and not voting: Adair, Bretzke, Dellwo, Green (Fergus), Green (Dawson), Holton, Johnson, Jones (Cascade), Knowles, Lillis, Lowry, Moss, Plumer, Ryder, Sample, Shields, Sparling, Stambaugh, Thorburn, Troy. Total—20.

The Speaker announced the following Conference Committee to act with a like committee from the Senate for consideration of Senate amendments to H. B. No. 196: Waite of Powder River, Flachsenhar of Prairie, Bonine of Hill.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried that Substitute House Bill No. 313, House Bills Nos. 317 and 318 be reported correctly engrossed and placed on third reading.

Moved by Bricker, duly seconded and carried that the House recess for ten minutes.

House resumed.

Mr. Speaker in the chair.

Engrossing Committee reported as follows:

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Sub. 313, 317, 318.

THORBURN, Vice-Chairman."

There being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

Substitute House Bill No. 313, introduced by the Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nelson, Nelstead, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: None.

Absent and not voting: Bretzke, Brown, Cheadle, Clausen, Dellwo, Green (Dawson), Hagerty, Holton, Jones (Cascade), Knowles, Lowry, Mason, Merritt, Moss, Moulton, Nagle, Nicholson, Ryder, Shields. Total—19.

House Bill No. 317, introduced by the Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Kelly, Knight, Lamb, Lerson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nelson, Nelstead, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Bretzke, Brown, Cheadle, Cooney, Dellwo, Green (Dawson), Hagerty, Jones (Cascade), Knowles, Kroman, Lowry, Moss, Moulton, Nagle, Nicholson, Rockwood, Ryder, Shields. Total—18.

House Bill No. 318, introduced by the Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Clarke, Clausen, Curran, Darlington, Donaldson, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—88.

Noes: None.

Absent and not voting: Bretzke, Cheadle, Cooney, Dellwo, Doran, Green (Dawson), Knowles, Lowry, Moss, Mulholland, Nagle, Prescott, Ryder, Shields. Total—14.

Moved by Bricker, duly seconded and carried that the House recess until 1 p. m.

AFTERNOON SESSION

House resumed at 1:00 P. M., and immediately went into executive session.

At 3:10 P. M. the House resumed regular session.

There being no objections, House reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The Select Committee appointed to investigate the official conduct of C. T. Stewart, Secretary of the State of Montana, reported as follows:

March 1, 1927.

"Mr. Speaker: We, your Select Committee, appointed to investigate the official conduct of C. T. Stewart, Secretary of State of the State of Montana, beg leave to report as follows:

Your Committee, considering time limitations, has done no more and no less than it felt plain duty and the interests of the State dictated. We have had no desire to shield anyone or persecute anyone. We have held to the view that in the conflict of interests, personal or otherwise, the interests of the State were superior to all other interests.

We have subpoenaed and examined under oath a large number of witnesses relative to alleged irregularities and improper conduct on the part of the Secretary of State. In addition, official records have been examined in detail. Testimony and records have forced your committee to definite conclusions. And we, therefore, find:

(1) That said C. T. Stewart, as Secretary of State, under color of his official authority caused certain publications to be made which were in excess of the constitutional and statutory requirements to the extent that the funds of the State of Montana were squandered in a most reckless and extravagant manner; where a bare compliance with such requirements would have amply satisfied the object and purpose of such publication.

(2) That he authorized publications that did not conform to the plain constitutional requirements—all to the injury of the State.

(3) That he in his official capacity, certified to and approved for payment invalid and unlawful claims against the State of Montana, such claims exceeding \$9000.00.

(4) That he failed to conform to the plain constitutional requirements placed upon him with respect to publications in 1922, and by such action imperilled the validity of the action of the people of the State, as expressed by their vote, and such failure on his part was contrary to public policy and public interest.

(5) That he has been guilty of misconduct in office in that he has without lawful authority applied funds appropriated for salaries and expenses of his office for one certain biennium to the finding of deficiencies arising out of the activities of such office during the previous biennium. And that he has charged items against one certain special fund which should have properly and lawfully been charged against the general fund thereby defeating the express intention of the Legislative Assembly to the detriment of the State of Montana and contrary to public policy.

(6) That he had an interest in contracts made in behalf of the State of Montana by himself or by a Board of which he was at the time a member, that he solicited and accepted remuneration outside of his lawful salary and compensation for the performance of his duties in the letting of contracts in behalf of the State of Montana in his official capacity, and that he improperly profited personally, directly or indirectly, by virtue of his official position, to the detriment of the State and contrary to public policy.

(7) That he has failed to perform his proper and legal duties as Secretary of the Board of Examiners, and failed to cause the records thereof to be kept as required by law—and such failure to discharge his duties is detrimental to the interests of the State.

(8) Evidence adduced by your committee shows, or tends to show, that said C. T. Stewart while acting as Secretary of State of the State of Montana, failed to discharge the duties of his office with fidelity, as enjoined by his oath of office; that he has broken faith with, and betrayed the confidence of, the sovereign people of the State of Montana; and that he is unfit and incompetent to have longer entrusted to him the responsibilities of a high executive office of the State.

Testimony and records procured by your committee are submitted herewith.

Now Therefore, Your committee respectfully submits the above findings and recommends as follows:

That the House of Representatives of the Twentieth Legislative Assembly of the State of Montana do proceed forthwith to cause to be done all things necessary to effect the impeachment and removal from office of said C. T. Stewart, Secretary of State.

MOSS, Chairman,
DELLWO,
GREEN of Dawson,
Committee."

On motion of Moss, report adopted.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

"Mr. Speaker: I move that at this time further testimony in the Stewart impeachment proceedings be suspended, that the vote be taken, that no debate whatsoever shall be permitted; that if the vote of the House is for impeachment, that the House elect a committee of five managers to prepare articles of impeachment.

BRICKER."

Motion carried.

Whereas, under and by virtue of a motion duly made, seconded and carried in the House of Representatives of the Twentieth Legislative Assembly on the 16th day of February, 1927, a committee was appointed for the purpose of investigating into the acts and office of one Charles T. Stewart, who is now and has been since on or about the 1st day of January, 1917,

the duly elected, qualified and acting Secretary of State of the State of Montana; and

Whereas, the committee so appointed has made inquiry as provided by said motion and has returned to this House a report of their findings of such investigation; and

Whereas, the said report and other testimony and evidence has been considered by the House of Representatives of the Twentieth Legislative Assembly in regular session and that the same shows or tends to show that Charles T. Stewart, Secretary of State of the State of Montana has been and is guilty of high crime, misdemeanors and malfeasance in office.

Now Therefore, Be It Resolved, That Charles T. Stewart, Secretary of State of the State of Montana be and he is hereby impeached of high crimes, misdemeanors and malfeasance in office.

BRICKER."

On motion of Bricker, the resolution was adopted by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Radvalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—99.

Noes: None.

Absent and not voting: Bretzke, Lowry. Total—2. Pass: Troy, Total—1.

"Mr. Speaker: Whereas, the House of Representatives of the State of Montana, in the Twentieth Legislative Session convened, has by the vote taken, impeached Charles T. Stewart, Secretary of State of the State of Montana for high crimes, misdemeanors and malfeasance in office, and has ordered the election of five managers to prepare articles of impeachment, present them at the bar of the Senate, and prosecute the same;

Therefore, I move that G. M. Moss, W. R. Flachsenhar, Harry Burns, W. B. Leavitt and Dennis A. Dellwo be elected as the Board of Managers to prepare articles of impeachment and present them to the bar of the Senate and prosecute the same.

Motion carried.

BRICKER."

"Mr. Speaker: I move that a committee of three be appointed to notify the Senate of the action of the House in the Stewart impeachment proceedings, and requesting the Senate to fix a time for hearing of the proceedings.

Motion carried.

BRICKER."

Whereupon the Speaker appointed the following as members of said committee: Bricker of Judith Basin, Harris of Meagher, Besancon of Missoula.

There being no objections, House reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The following report of select committees was received:

March 1st, 1927.

President of the Senate and Speaker of the House:

We, your Conference Committee on House Bill No. 4, respectfully report as follows: The House concedes to all Senate amendments except the following: On page 8, Section 26, add to the end of the amendments the words, "per annum". Section 12, Sub-section 11, strike out the Senate amendments and retain the House amendment, substituting the word "five" for the word "three".

Section 16. The Senate recedes from Senate amendments.

Section 20. The Senate recedes from Senate amendments.

Section 48. The House concedes the Senate amendment and the Conference Committee amends such sections by adding a period after the word "association" in line 24 of the engrossed bills and further adding the words "such association in liquidation, shall be subject to examination and under the supervision of the Superintendent of Banks".

Respectfully submitted,

For the Senate:

GOODMAN.
ALBERT JOHNSON.
McQUITTY.

For the House:

WAITE.
NELSTEAD.
BESANCON.

The Conference Committee report was adopted by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Stambaugh, Steeves, Sutton, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—88.

Noes: Ballard, Chatham. Total—2.

Absent and not voting: Bretzke, Holton, Knowles, Larson, Lowry, Merritt, Moss, Ryder, Shields, Sparling, Thorburn, Troy. Total—12.

The Printing Committee reported as follows:

"Mr. Speaker: We, your Committee on Printing, respectfully report House Bills Nos. 319, 320, 321 as correctly printed.

COONEY, Chairman."

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Senate:

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate, on motion duly made and seconded, requests the return of House Bill No. 307 for further consideration.

Respectfully,

J. F. CONE, Secretary of Senate."

On motion of Bricker, the request of the Senate was granted.

Moved by Bricker, duly seconded and carried, that the following communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 113, was upon recommendation of the Committee on Education, not concurred in. Report was adopted and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, this day recommended that H. B. No. 187 be not concurred in. Report was adopted and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report and recommend as follows:

That H. B. No. 197 be concurred in.

That H. B. No. 224 be concurred in.

That consideration of H. B. No. 268 be passed.

That the enacting clause be stricken from H. B. No. 187.

Respectfully,

J. F. CONE, Secretary of Senate."

The Speaker gave notice that he was about to sign Senate Bill No. 87, Senate Bill No. 17, Senate Bill No. 34, Senate Bill No. 52, Senate Bill No. 99, Senate Bill No. 113, and thereupon signed said bills.

There being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Burns, duly seconded and carried, that the Board of Managers in the Stewart Impeachment proceedings be excused from attending the session of the House tomorrow.

Moved by Bricker, duly seconded and carried, that the House recess until 4:15.

House resumed at 4:15 P. M.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced by the Appropriations Committee, read first time by title, second time at length, and referred to the Appropriations Committee:

H. B. No. 322, by Committee on Appropriations: A Bill for an Act entitled: "An Act appropriating the sum of Eleven Thousand Dollars (\$11,000.00), or so much there of as may be necessary, for the administration of the oil and gas division of the Board of Railroad Commissioners of the State of Montana and the supervision of the drilling, plugging and abandonment of oil and gas wells in the State of Montana up to July 1, 1927, and declaring an emergency and making this appropriation immediately available."

The Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: 106, 264, 263, 222, 125, 221, 214.

MERRITT, Vice-Chairman."

At the request of Bricker, the committee appointed to notify the Senate of the action of the House in the Stewart Impeachment proceedings, was excused, being Bricker, Harris and Besancon.

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 109, introduced by Survant, respectfully report as follows: That Senate Bill No. 109 be amended as follows:

That Section 3, page 5, line 18, of the engrossed bill, be amended by striking out the words and figures "twenty-five (25%) per cent" and inserting in lieu thereof the words and figures "twenty (20%) per cent";

That Section 4, page 7, line 5, be amended by striking out the "period" and inserting a "semicolon" and the following words "provided, however, that this Act is not intended, and nothing herein shall be deemed to be intended, either to repeal or displace Chapter 89 of the Laws of the Nineteenth Legislative Assembly of the State of Montana", and that as so amended the bill be concurred in.

BRICKER, Chairman."

On motion of Jameson, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 322, introduced by Appropriations Committee, respectfully report that House Bill No. 322, do pass.

REED, Chairman."

On motion of Reed, report adopted.

The Speaker gave notice that he was about to sign House Bill No. 125, House Bill No. 222, House Bill No. 263, House Bill No. 106, House Bill No. 264, House Bill No. 221, House Bill No. 214, and thereupon signed said bills.

At this time the committee appointed to notify the Senate of the action of the House in the Stewart Impeachment proceedings reported their duty performed.

UNFINISHED BUSINESS

Moved by Stambaugh, duly seconded and carried, that House Rule No. 35 be suspended, for the purpose of introducing a memorial.

Whereupon, the Speaker referred said motion to the Committee on Rules.

The Special Committee appointed to notify the Senate of the action of the House in the Stewart impeachment proceedings reported as follows:

"Mr. Speaker: Your special committee appointed by the House to notify the Senate that the House will present an impeachment of Charles T. Stewart, Secretary of State, of the State of Montana, will report:

Your committee performed the duty assigned to them by appearing at the bar of the Senate and by reading to the Senate and by delivery to the Secretary thereof the following notice demand.

BRICKER."

"Mr. President: The undersigned appear at the bar of the Senate, as a committee of the House of Representatives, charged with the duty of notifying your Honorable Body that the House has impeached Charles T. Stewart, Secretary of State of the State of Montana, for high crimes, misdemeanors and malfeasance in office and will in due time by its managers present special articles of impeachment and demand that the Senate take order for the appearance of the said Charles T. Stewart to answer to said impeachment.

R. C. BRICKER.

ORVILLE HARRIS.

ALBERT BESANCON."

Moved by Bricker, duly seconded and carried, that the House adjourn until 10:30 A. M., Wednesday, March 2nd.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

FIFTY-NINTH DAY

House of Representatives,
Helena, Montana, March 2, 1927.

House convened, pursuant to adjournment at 10:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call all members present except: Bretzke, excused for remainder of session; Lowry, excused for remainder of session.

The Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifty-eighth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

On motion of Bricker, the House was at ease for a few minutes while Reverend Lear said a few parting words.

On motion of Bricker, the House gave Reverend Lear a rising vote of thanks for the good he has done while chaplain of the House of Representatives of the Twentieth Legislative Assembly.

House resumed.

Mr. Speaker in the chair.

The Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 180, 266, 98, 253 and 101.

WAITE, Chairman."

The Speaker gave notice that he was about to sign House Bill No. 98, House Bill No. 101, House Bill No. 180, House Bill No. 253, House Bill No. 266, and thereupon signed said bills.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Senate:

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House amendments to Senate Bill No. 28 were not concurred in and that on motion a Conference Committee was asked for to act with a like committee from the House to consider said amendments. Thereupon the President appointed the following Senators: McCormick, Corrington, Buttleman.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the request of the Senate be granted and that the Speaker appoint the Conference Committee.

Moved by Bricker, duly seconded and carried, that the following communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House bills were this day read three several times and concurred in, title agreed to, and are herewith returned to the House:

H. B. No. 183; H. B. No. 194; H. B. No. 197; H. B. No. 224; H. B. No. 254; H. B. No. 265; H. B. No. 261; H. B. No. 271; H. B. No. 281; H. B. No. 283; H. B. No. 301; H. B. No. 302; H. B. No. 308; H. B. No. 312

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, upon recommendation of Standing Committees, the following House bills were not concurred in. Reports adopted and bills are herewith returned to the House.

Irrigation Committee: H. B. No. 203; H. B. No. 201.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 147 was this day read three several times and concurred in as amended, title agreed to, and same is herewith returned to the House:

Committee of the Whole amendment:

That H. B. No. 147 be amended in Section 1 by striking all of amendments made by the Standing Committee.

Amend Section 1 by striking out in line 6 and 11 the words and figures "3" and inserting in lieu thereof the words and figures "5".

The foregoing amendments leaves the bill in its original form.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 298 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Judiciary amendments:

Amend by inserting after the word "an" used the second time in line 9, page 1, of the engrossed bill, the letter "y", so that said line will read: "An appeal from any assessment";

Strike out the letter "s" after the word "courts" in line 10, page 1, of said bill;

Strike out the word "an" in line 11, page 1, of said bill.

Strike out the second word in line 13, page 1, of said bill, being the word "the";

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 274 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendment:

Committee on Counties and Towns amendment:

Amend in line 13 of the engrossed bill by adding after the word "holding" the following words "and costs in event of sale".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 163 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee of the Whole amendments:

Amend in Section 1 by striking out beginning with the words "An equal amount" in line 19 all of the rest of the paragraph to the end of line 26. Also strike out all of lines 27 and 28.

Amend by striking out in line 32 beginning with the words "An equal amount" all the remainder of section through line 41, and renumber lines to conform to rest of section.

Amend in Section 2 by striking out in line 19, beginning with the words "An equal amount" all the remainder of the paragraph and lines 26 and 27.

Amend in Section 2 by striking out in line 31 beginning with the words "An equal amount" all the remainder of the section through line 40 and renumber the lines to conform to the remainder of the section."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House, asking for a conference committee to consider Senate amendments to House Bill No. 196, was granted, and the President appointed the following Senators to act with a like committee from the House: Schnitzler, Duncan, Campbell.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on roll call, House Amendments to Senate Bill No. 125 were concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows:

That H. B. No. 87 be concurred in.

That H. B. No. 159, be concurred in.

That H. B. No. 226 be concurred in.

That H. B. No. 64 be amended in Section 2 by striking out in line 100 the figures "\$15,000" and inserting in lieu thereof the figures "\$7,500.00", and as amended, it be concurred in.

Correct on page 2, line 19, of the engrossed bill and also on page 6, line 22, by striking out the words and figures "Six Thousand Dollars" (\$6,000.00) and inserting in lieu thereof the words and figures "Seven Thousand Five Hundred Dollars (\$7,500.00)".

That H. B. No. 208 be concurred in.

That H. B. No. 70 be amended by striking out in lines 3 and 4 of the printed bill the words, "at any time thereafter deemed proper, may" and insert in lieu thereof the following: "must within thirty days thereafter", and as amended, it be concurred in.

That H. B. No. 219 be concurred in.

That consideration of H. B. No. 157 be passed.

That H. B. No. 268 be amended in the title of House Bill No. 268 by striking out the marks and characters of punctuation at the end of the title after the word district and inserting in lieu thereof a comma and the following words and punctuation: "and to add a new section to the code to be known as Section 5266A providing for assessments against street rail-ways in said lighting districts".

Amend by adding a new section thereto to be known as Section 8.

Section 8. That a new section be added to the code to be known as Section 5266A which shall be and read as follows:

Section 5266A. Assessments Against Street Railways. Whenever the city or town council in creating a Special Improvement District for lighting streets as authorized in Section 5259 hereof, shall include within the boundaries of said district any street or streets upon which a street rail-

way is operated, the city or town council may assess not to exceed one-sixth of the entire cost and expense of installing such lighting system and not to exceed one-sixth of the cost of the yearly maintenance and cost of supplying electrical current in such district, against such street railway company in the same manner and under the same resolutions passed by the city council for the assessment of all other property embraced within the district. Provided further, that when any assessment is made or is to be made against any street railway company operating within said city or town, said street railway company shall have the right to protest against the creation of the special lighting improvement district or against the assessment to be made against it in the same manner and in the same proportion as any other property embraced within the district might protest, if it were to bear an assessment equal to the amount of the assessment made or to be made against said street railway.

That Section 8 be renumbered Section 9, and, as amended, the bill be concurred in.

That H. B. No. 186 be amended in Section 38 on page 14 of the printed bill by inserting in line 35 after the word "land" the following words "except that the grazing rates only shall be charged for summer fallowed land."

Amend in Section 97 by inserting after the word "acre" in line 6 of Section 97, printed bill, the following: "Provided, further, that in case the land is offered for sale at public auction, the old lessee need not make a higher bid than others, but shall if bidding an equal amount be given the preference."

Amend Section 132 of the printed bill by striking out in line 15 the words "fifteen" (being line 4, page 59, Section 110 engrossed bill), and inserting in lieu thereof the word "ten".

Amend in Section 146 of the printed bill (Sec. 124 of engrossed bill), by striking out the entire section, and, as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body, that the Committee on Finance and Claims, having had under consideration House Bill No. 110, recommend the same be amended as follows:

That all amendments heretofore made to this bill are hereby adopted and approved by this committee, save and except as hereinafter modified;

That all amendments to lines 10 and 11, page 2, of the original bill be stricken out and that the words and figures "\$5,580.00" be stricken out and that the words and figures "\$8,580.00" be inserted in lieu thereof.

That all amendments heretofore made at lines 21 and 22, page 7 of the original bill be stricken out and that the words and figures "\$5,580.00" be stricken out and the words and figures "\$8,580.00" be inserted in lieu thereof.

That said bill be further amended by striking out the words and figures "\$1,450.00" at lines 12 and 13, page 3 of the original bill and inserting in lieu thereof the words and figures "\$2,450.00".

That House Bill No. 110 be further amended by striking out at lines 22 and 23, page 8, of the original bill the words and figures "\$1,450.00" and inserting in lieu thereof the words and figures "\$2,450.00".

That said bill be further amended by striking out the words and figures "\$2100.00" at line 29, of page 4, of the original bill and that the words and figures "\$2,500.00" be inserted in lieu thereof.

That said House bill No. 110 be further amended at line 29, page 10, of the original bill by striking out the words and figures "\$2,100.00" and inserting in lieu thereof the words and figures "\$2,500.00".

And that as so amended, the bill be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House bill No. 50 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Committee of the Whole amendments:

Amend in Subdivision 8 of Section 4, by adding the word "buy" immediately after the word "securities" in line 2, page 4, of the engrossed bill.

Amend in Section 8 by adding after the word "stop" in line 34 the following: "Provided that this Act shall not require any bank in existence and doing business to increase its capital stock".

Amend in Section 12 by substituting in line 12 for the word "or" immediately after the word "cashier" the word "and", and in line 15 of the same section insert the words "at least one" immediately after the words "the President and at least one".

Amend in Section 21 by striking out in line 14 the words "sixty days" and inserting in lieu thereof the words "six months."

Amend in Section 34 by striking out the last sentence of the first paragraph starting with the word "provided" and ending with the word "debt" commencing on line 3 and ending on line 6 of the engrossed bill and substituting in lieu thereof the following: "Provided, however, that no such dividend shall be declared or paid, which together with bad debts of the bank at the time of the declaration of such dividend, shall exceed its undivided profits." Also that the words "and before any dividends can be paid" on line 7, page 30, be eliminated.

Also eliminate the last sentence of the second paragraph beginning with the words "such bad debts" on line 13.

Amend in Section 41 by inserting after the words "or for" in line 10 of the printed bill the words "authorizing and".

Amend in Section 41 by inserting in line 6 after the comma following the word "Commission" the following words "any premium on insurance".

Amend in Section 54 by striking out in line 24 of the engrossed bill all of the last part of the paragraph, commencing with the word "provided" and ending with the word "Act" in line 28. Also that the portion of this section which is hereby eliminated be added to and made the closing sentence of Section 53.

Amend by striking out all of Section 59 of this bill.

Amend Section 65 by striking out the same and inserting the following in lieu thereof:

"Section 65. Reports Confidential; False Reports, Penalties for the Violation Thereof. The report and any information contained in the reports and statements hereinabove provided for, other than such reports as are required to be published, shall be deemed to be secret and for the confidential information of the Superintendent of Banks only, and such information shall not be imparted to any persons who are not officially associated in and with the office of the Superintendent of Banks, and the information therein contained shall be used by the Superintendent of Banks only in the furtherance of his official duties, except that it shall be lawful for the department to exchange information with the federal banking department and with departments of other states and to furnish information to prosecuting officials who request the same for use in pursuit of official duties. Any Superintendent of Banks or deputy, assistant, examiner, or clerk in his employ, who violates any of the provisions of this section, or wilfully makes a false official report as to the condition of any bank, shall be removed from office, and shall also be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine of not exceeding one thousand dollars, or by imprisonment in the state penitentiary for not exceeding five years, or by both such fine and imprisonment. And any official, person or persons, herein mentioned, violating any provisions of this section, in addition to the penalties therein provided shall be liable,

with his bondsmen, in damages to the person or corporation injured by such false report or by the disclosure of such secrets or confidential information."

Amend Section 73, by striking out in lines 5 and 6 of said section, the words "For the use and benefit of the General Fund of the State of Montana."

Amend Section 73 by substituting the words "Three Hundred Dollars" instead of "Two Hundred Dollars" on the third line on page 4, of the engrossed bill as amended.

Amend Section 73 by striking out all of said section from lines 49 to 60 both inclusive.

Amend Section 75 by striking out in line 15 of the engrossed bill, page 51, immediately after the words "United States", the word "stocks" and substituting in lieu thereof the words "bonds".

Amend in Section 82 by inserting at the end of Section 82 the following sentence: "Nothing in this section shall apply to any person, firm or association now conducting a private banking business in this state, which bank is now authorized by the State Banking Department to do a banking business."

Amend Section 85 by striking out in line 28 of page 55 of the engrossed bill the word "public" and substituting in lieu thereof the word "prosecuting".

Amend Section 85 by striking out the same and inserting the following in lieu thereof:

Section 85. Information Obtained by State Examiner to Be Deemed Confidential; Penalty for the Violation Thereof. Any knowledge or information gained or discovered by the State Superintendent of Banks, in pursuance of his powers or duties as herein prescribed, shall be deemed confidential information of the State Examiner's office only, and such information shall not, except as herein provided, be imparted to any person or persons who are not officially associated in and with the office of the State Examiner, and such information shall be used by the State Examiner only in the furtherance of his official duties, except that it shall be lawful for the department to exchange information with the Federal Banking Department and departments of other states and to furnish information to prosecuting officials who require the same for use in pursuit of official duties. Any State Examiner or deputy, assistant, or clerk in his employ, who violates any of the provisions of this section, or wilfully makes a false official report as to the condition of any bank, shall be removed from office, and shall also be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine of not exceeding one thousand dollars, or by imprisonment in the state penitentiary for not exceeding five years, or by both such fine and imprisonment. Any official, person or persons, herein mentioned, violating any provisions of this section, in addition to the penalties therein provided shall be liable, with his bondsmen, in damages to the person or corporation injured by such false report or by the disclosure of such secrets or confidential information."

Amend Section 100 by striking out in line 27, page 61, of the engrossed bill the word "for" between the words "information" and substituting in lieu thereof the word "or".

Amend Section 118 by striking out all of said section.

Amend Section 117 by striking out in line 2 after the word "who" the word "maliciously" and after the word "or" the word "willfully".

Amend Section 121 by striking out in line 5 after the word "law" all the remainder of line 5 and all of line 6.

Amend Section 90 by striking out all the section following the word "same" in line 5, and inserting in lieu thereof the words "not later than the following banking business day."

Amend the title by inserting after the word "Department" in line 7 of the printed bill the words "Creating a fund to be known as the State Examiner's fund".

Amend by renumbering sections of the bill correctly, and, as amended, it be concurred in.

Committee on Banks and Banking Amendments:

Amend House Bill No. 50 by striking out all of Section 73 and substituting therefor, the following:

Section 73. State Examiner's Fund. For the purpose of a just distribution of the expense incurred by the Department of the State Examiner, there is hereby created a fund to be designated as the "State Examiner's Fund", and all moneys collected under the provisions of this section shall be credited to said fund for the use and benefit of the General Fund of the State of Montana, except as otherwise provided herein.

COUNTIES

For the credit of such fund, each county of the State, shall pay to the State Treasurer on or before the first day of July of each year, according to its taxable valuation for the preceding year as follows:

Counties having a taxable valuation of five million dollars or less, one hundred and seventy-five dollars.

Counties having a taxable valuation of from five million to seven million dollars, two hundred and twenty-five dollars.

Counties having a taxable valuation of from seven million to ten million dollars, two hundred and fifty dollars.

Counties having a taxable valuation of from ten million to fifteen million dollars, three hundred dollars.

Counties having a taxable valuation of from fifteen million to twenty million dollars, three hundred and fifty dollars.

Counties having a taxable valuation of from twenty million to thirty million dollars, four hundred and fifty dollars.

Counties having a taxable valuation of from thirty million to forty million dollars, six hundred dollars.

Counties having a taxable valuation of more than forty million dollars, seven hundred and fifty dollars.

All consolidated county and city governments having a taxable valuation of from thirty million to forty million dollars, eight hundred dollars.

All consolidated county and city governments having a taxable valuation of more than forty million dollars, one thousand dollars.

CITIES AND TOWNS

For the credit of such fund, each city and town of the State shall pay to the State Treasurer, or or before the first day of July of each year, according to its taxable valuation for the preceding year, as follows:

Cities and towns having a taxable valuation of two hundred thousand dollars or less, twenty-five dollars.

Cities and towns having a taxable valuation of from two hundred thousand dollars to five hundred thousand dollars, fifty dollars.

Cities and towns having a taxable valuation of from five hundred thousand dollars to seven hundred and fifty thousand dollars, seventy-five dollars.

Cities and towns having a taxable valuation of from seven hundred and fifty thousand dollars to one million dollars, one hundred dollars.

Cities and towns having a taxable valuation of from one million dollars to two million five hundred thousand dollars, one hundred fifty dollars.

Cities and towns having a taxable valuation of two million five hundred thousand dollars to five million dollars, two hundred dollars.

Cities and towns having a taxable valuation of from five million dollars to ten million dollars two hundred fifty dollars.

Cities and towns having a taxable valuation of more than ten million dollars, three hundred dollars.

FREE COUNTY HIGH SCHOOLS

For the credit of said fund, each Free County High School shall pay to the State Treasurer on or before the first day of July of each year, a fee in the amount of twenty-five dollars.

IRRIGATION DISTRICTS

For the credit of said fund, each irrigation district under the supervision of the State Examiner, shall pay to the State Treasurer on or before the first day of July of each year, the following amounts:

Districts whose existing or proposed obligations are in excess of two hundred and fifty thousand dollars, fifty dollars.

Districts whose existing or proposed obligations are less than two hundred and fifty thousand dollars, twenty-five dollars.

BANKS AND TRUST COMPANIES

For the credit of said fund, each bank, trust company or investment company, under the supervision of the Superintendent of Banks, shall pay to the State Treasurer, on or before the first day of July of each year, a fee according to the following rates:

All banks, incorporated or unincorporated, having capital stock of twenty-five thousand dollars or under, shall pay one hundred dollars.

Those having capital stock over twenty-five thousand dollars and up to and including fifty thousand dollars, shall pay one hundred twenty-five dollars.

Those having capital stock of over fifty thousand dollars and up to and including seventy-five thousand dollars shall pay one hundred fifty dollars.

Those having capital stock of over seventy-five thousand dollars and up to and including one hundred thousand dollars, shall pay two hundred dollars.

Those having capital stock of over one hundred thousand dollars and up to and including three hundred thousand dollars, shall pay two hundred dollars.

Those having capital stock over three hundred thousand dollars, shall pay three hundred fifty dollars.

BUILDING AND LOAN ASSOCIATIONS

For the credit of said fund, each Building and Loan Association under the supervision of the Superintendent of Banks, shall pay to the State Treasurer, on or before the first day of July of each year, a fee based upon the total assets of such association as shown by its last annual statement and upon the following rates;

All building and loan associations having total assets in the amount of fifty thousand dollars or less, shall pay a fee in the amount of thirty-five dollars.

Those having total assets in the amount of fifty thousand dollars and less than two hundred thousand dollars, shall pay a fee of seventy-five dollars.

Those having total assets in the amount of two hundred thousand dollars and less than five hundred thousand dollars, shall pay a fee of one hundred dollars.

Those having total assets in the amount of five hundred thousand dollars and less than one million dollars, shall pay a fee of one hundred fifty dollars.

Those having total assets in the amount of one million dollars and less than one million five hundred thousand dollars, shall pay a fee of two hundred dollars.

Those having total assets in the amount of one million five hundred thousand dollars and less than two million dollars, shall pay a fee of two hundred fifty dollars.

Those having total assets in the amount of two million dollars and less than three million dollars, shall pay a fee of three hundred dollars.

Those having total assets in the amount of three million dollars and less than four million dollars, shall pay a fee of four hundred dollars.

Those having total assets in the amount of four million dollars and less than five million dollars, shall pay a fee of five hundred dollars.

Those having total assets in the amount of five million dollars and less than six million dollars, shall pay a fee of seven hundred dollars.

Those having total assets in the amount of six million dollars or more shall pay a fee of eight hundred dollars.

Provided further, that all Building and Loan Associations incorporated under the laws of other states, and doing business in the State of Montana under the supervision of the Superintendent of Banks, in addition to the regular fee as above set forth, shall pay to the examiners making such examination, their necessary traveling expenses including transportation and subsistence.

Special examinations may be made of any county, city, town, school district, irrigation district, high school, bank, building and loan association or any other office, board or commission, whether temporary or permanent, however created, and for whatever purpose, having the control management, collection or disbursement of any public money of any character or description, when in the judgment of the State Examiner it shall be deemed necessary, and such special examinations shall be charged for at the rate of fifteen dollars per day for each examiner employed for the time actually consumed, together with necessary transportation. All fees or charges so collected by the Superintendent of Banks and paid to the State Treasurer, shall be credited to the State Examiner's Departmental Appropriation for the current year by the State Auditor.

In any case where the current examination shall not have been made prior to the first day of July of any year, the above fees must be paid as herein specified, provided, however, that all examinations shall cover the entire period from the date of the last examination.

Amend H. B. No. 50, Section 139, by striking out all of said section beginning on line 4 after the words "and complete the liquidation of their assets"; and substitute in lieu thereof the following provision:

Chapter 90, Section 6109e, Laws of 1923, shall continue in full force and effect for the sole purpose of enabling state banks now in process of voluntary liquidation to continue and complete their liquidation in the manner therein provided.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Fish and Game, having had under consideration H. B. No. 157, report that said bill be amended as follows:

Amend the title of the engrossed bill by inserting in line 8, page 1, after the figures "3696" the figures "3697".

Further amend the title by inserting in line 8, of the engrossed bill, page 1, after the figures "3704" the figures "3714".

Further amend the title of the engrossed bill, line 18, page 1, after the word "elk" by inserting the words "open and closed season for deer".

Amend Section 1 of the engrossed bill by striking out in lines 10 and 11, page 1, the same being line 8, page 2, of the printed bill, the words

and figures "Two Hundred Dollars (\$200.00)" and inserting in lieu thereof the words and figures "Four Hundred Dollars (\$400.00)".

Amend Section 2 of the engrossed bill by striking out in lines 7 and 8 the same not appearing in the printed bill, the words and figures "Three Thousand Dollars (\$3000.00)" and inserting in lieu thereof the words and figures "Thirty-six Hundred Dollars (\$3,600.00)".

Amend Section 2 of the engrossed bill by adding after the word "transaction" in line 27, page: 2, the words "and shall make and keep an inventory showing the description and value of all property owned by the state and under the administration of said commission".

Further amend Section 2 by striking out in line 28, page 2, the word "its" and inserting in lieu thereof the word "the".

Further amend Section 2 by inserting after the word "records" in line 29, page 2 the words "of the Fish and Game Department".

Amend Section 3, page 3 of the engrossed bill in line 19 after the word "warden" by inserting the words "by and with the consent and approval of the Commission".

Further amend Section 3 of the engrossed bill in line 25 by adding after the word "hearing" the following words "before said Commission".

Amend Section 4, page 4 in line 25 by adding after the words "per annum" the following words "provided that the commission may in its discretion pay not more than six (6) first grade men a salary not exceeding Twenty-one Hundred Dollars (\$2,100.00) per year".

Further amend Section 4, page 4, of the engrossed bill by inserting in line 31 after the word "year" the following words "unless special work shall be ordered by the Fish and Game Commission".

Amend Section 5, page 5, in line 8 of the engrossed bill by adding after the word "of" the words "not to exceed".

Amend Section 9, line 22 on page 9 of the engrossed bill by striking out after the word "of" the words and figures "Five Dollars (\$5.00)" and inserting in lieu thereof the words and figures "Ten Dollars (\$10.00)".

Further amend Section 9, line 28, page 9 of the engrossed bill by striking out after the word "license" the following words "provided, however, that no license shall be required from owners or lessors who are actual residents from trapping muskrats on their own premises."

Amend Section 12 of the engrossed bill in line 17, page 13, by striking out the word "whitefish" and inserting in lieu thereof the word "fish".

Amend Section 13 of the engrossed bill by inserting in line 9, page 16, after the word "in" the following words "Granite County and in".

Further amend Section 13 of the engrossed bill by striking out in line 4, page 18, after the word "including" the words and figures "September Twentieth (20th)" and inserting in lieu thereof the words and figures "October Fifteenth (15th)."

Further amend Section 13 of the engrossed bill by inserting in line 21, page 15, after the word "inclusive" the words "provided, however, that in all of that portion of Ravalli County drained by the West Fork of the Bitter Root River the open season for elk shall begin with the Twentieth (20th) day of September and end with the Twentieth (20th) day of October, both dates inclusive, except, however, that the State Fish and Game Commission may in its discretion shorten the open season in such territory in Ravalli County".

Section 13a-Section 3697. Open Season for Deer. The open season for deer shall begin October 15th and shall end November 15th, both dates inclusive, of each year. The closed season for deer shall begin November 16th of each year and end October 14th of the following year, both dates inclusive; provided, however, that in all of that portion of Ravalli County drained by the West Fork of the Bitter Root River, the open season for deer shall begin with the Twentieth (20th) day of September and end with the Twentieth (20th) day of October, both dates inclusive, of each

year, and provided, further, however, that it shall be unlawful and a misdemeanor, punishable as in this Act hereinafter provided, for any person to shoot, hunt, kill, take or capture, or cause to be shot, killed, taken or captured, any deer, at any time within the counties of Yellowstone, Rosebud, Custer, Musselshell, Powder River, Carter, Richland, Roosevelt, McCone, Dawson, Carbon, Teton, Phillips, Prairie, Garfield, Treasure and Valley, and within all of that portion of Fergus county lying north of the township line between township 18 and 19 and east of the range line between ranges 24 and 25 in said county, also all of Glacier and Pondera counties lying within the Lewis and Clark National Forest; and also all of that portion of Gallatin County lying and being north of the south line of township 4, north, M. P. M.

During the closed season for deer it shall be unlawful for any person to take, hunt, shoot, kill or capture, or cause to be taken, hunted, shot, killed or captured any deer; during the open season for deer it shall be unlawful for any person to shoot or kill or cause to be shot or killed any deer other than one male deer with horns not less than four inches in length above the top of the skull. Provided, however, that it shall not be unlawful to take one deer of either sex in Mineral, Lake, Flathead, Lincoln, Sanders and Ravalli Counties. It shall also be unlawful and a misdemeanor punishable as in this Act hereinafter provided, for any person responsible for the death of any deer to wilfully waste any portion or portions of said deer suitable for food.

Any person violating any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be punished as in this Act hereinafter provided."

Amend Section 13a after the word "Mineral" and before the word "Lake", by inserting the words "Beaverhead, Madison and Glacier".

Amend Section 15 in line 18, page 20, after the word "community" by adding the following words "provided the notice of opening of a particular county or part thereof shall be advertised in a newspaper of that county at least ten (10) days prior to such opening date."

Amend Section 16 of the engrossed bill by striking out in line 5, page 21, the word and figures "fifteen (15)" and inserting in lieu thereof the words and figures "twenty-five (25)".

Amend Section 18 of the engrossed bill by inserting in line 30, page 23, after the word "commission" the words "and to permit the taking of black bass in Flathead Lake."

Amend Section 19 on page 26 by inserting after the word "permit" in line 17 and before the word "any" in line 18 the following words "the taking and sale of live beaver under permit issued by virtue of the provisions of this section shall be regulated by the Fish and Game Commission. and the license fee to be charged for sale of live beaver shall be \$3.00, Three Dollars, for each beaver sold. provided that live beaver shall be sold only to those who hold a license for the purpose of the propagation of fur bearing animals in this state".

Amend Section 19 of the engrossed bill by inserting after the word "only" in line 22, page 24, the character "," and the following words "and provided that the warden shall, when issuing the permit mentioned, designate therein the maximum number of beaver that may be taken or destroyed under such permit". And, as so amended, the bill be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1. 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the standing committees have this day reported as follows:

Committee on Taxation report that H. B. No. 70 be amended by striking out beginning in line 19 after the figures "1921" all the remaining part of Section 1, and, as amended, it be concurred in.

Committee on Education report that H. B. No. 219 be amended by striking out in Section 1, line 15, the words and figures "One Hundred Thousand Dollars (\$100,000.00)" and inserting in lieu thereof the words and figures "Seventy-five Thousand Dollars (\$75,000.00)".

Amend in line 29 of Section 1, by striking out the words and figures "Seventy-five Thousand Dollars (\$75,000.00)" and inserting in lieu thereof the words and figures "Forty Thousand Dollars (\$40,000.00)", and, as amended, it be concurred in.

Committee on Education report that H. B. No. 113 be not concurred in.

Committee on Finance and Claims report that H. B. No. 311 be amended in Section 1 by striking out the word "financial" in line 2.

Amend by striking out the word "employ" at the beginning of line 2, Section 2 and inserting in lieu thereof the word "secure", and that the word "financial" be stricken from line 2 and that the following be inserted in line 4 of said Section 2 after the word "act" "and to request from the Federal Government the Sage or Rockefeller Foundation the loan of an expert or experts to make the survey".

Amend Section 3 by striking out the words "salaries and" at the beginning of line 4, and the word "financial" in line 5. and the words "salaries and" after the word "said" in line 6, and, as amended, it be concurred in.

Committee on Public Lands report that H. B. No. 259 be amended by striking out in Section 3 in line 29 all after the word "effect" and all of line 30 and insert in lieu thereof the following: "January 1, 1929", and, as amended, it be concurred in.

Committee on Irrigation report that H. B. No. 215 be not concurred in.

Committee on Irrigation report that H. B. No. 203 be not concurred in.

Committee on Irrigation and Water Rights report that H. B. No. 201 be not concurred in.

Committee on Finance and Claims report that H. B. No. 310 be concurred in.

Committee on Public Lands report that Sub. for H. B. No. 190 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1. 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims, having had under consideration H. B. No. 161; report and recommend that the bills be amended as follows:

That the words and figures "\$87,100.00" be stricken from the bill at lines 27 and 28, page 1, and the words and figures "\$97,100.00" be inserted in lieu thereof.

That said bill be further amended at lines 19 and 20, page 6 thereof by striking out the words and figures "\$87,100.00" and inserting in lieu thereof the words and figures "\$98,100.00".

That said bill be further amended at lines 28 and 29 of page 2 thereof by striking out the words and figures "\$2,630.00" and inserting in lieu thereof the words and figures "\$9,630.00".

That said bill be further amended at lines 18 and 19, page 7, of the original bill by striking out the words and figures "\$2,630.00" and inserting in lieu thereof the words and figures "\$9,630.00".

That said bill be further amended at lines 14 and 15, page 4 of the original bill by striking out the words and figures "\$5,440.00" and inserting in lieu thereof the words and figures "\$7,440.00" and the said bill be further amended at lines 31 and 32, page 8, of the original bill by striking out the words and figures "\$6,440.00" and inserting in lieu thereof the words and figures "\$7,440.00".

That said bill be further amended at lines 4 and 5, page 5, of the original bill by striking out the words and figures "\$106,500.00" and inserting in lieu thereof the words and figures "\$161,500.00".

That said bill be further amended by striking out all of lines 9 to 30 inclusive, on page 5 of the original bill and inserting in lieu thereof, after the word "follows" in line 8, page 5, the words and figures "\$164,546.00".

That said bill be further amended by striking out all of lines 23 to 32 inclusive, on page 9, and all of lines 1 to 8, inclusive, on page 10 of the original bill and that the following be inserted after the word "follows" in line 22, page 9, of the original bill, the words and figures "\$164,546.00", and that as so amended the bill be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 159, introduced by Committee on Fish and Game, having been read three several times and not concurred in, bill is herewith returned to the House.

Also House Bill No. 259, introduced by Bricker, Cheadle, Bonine, Mason, was, upon recommendation of Committee of the Whole, not concurred in.

Report adopted and bill is herewith returned.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 215 was, upon recommendation of the Committee on Irrigation, not concurred in. Report adopted and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 1, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 311 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate."

The Speaker appointed the following conference committee for consideration of House amendments to Senate Bill No. 28: Moulton of Fergus, Sample of Dawson, Lamb of Silver Bow.

At this time the Speaker appointed Cheadle of Fergus as a member of the conference committee for consideration of Senate amendments to House Bill No. 309, to take the place of Burns of Blaine, who asked to be excused inasmuch as he had been appointed a member of the Board of Managers to draw up articles of impeachment in the Stewart impeachment proceedings.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under the rules that in discussion of the main bill, proponents and opponents be allowed five minutes, and others three minutes; on amendments proponents and opponents be allowed three minutes and others two minutes, with no trading of time; that each member be allowed to talk only once, except proponents and opponents; that bills be read by history, title and section numbers only, except upon request of one member to have certain sections read at length.

Mr. Nelson in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 109, House Bills Nos. 319, 320, 321; Senate amendments to House Bill No. 50; Senate amendments to House Bill No. 147; Senate amendments to House Bill No. 163; Senate amendments to House Bill No. 274; Senate amendments to House Bill No. 298; respectfully report as follows: That Senate Bill No. 109 be concurred in.

That House Bill No. 319 do pass.

That House Bill No. 320 be amended as follows:

Section 2: By inserting in line 3 of the printed bill, after the word "performed" the words "as far as practical", and that as so amended, said House Bill No. 320 do pass.

That House Bill No. 321 do pass.

That Senate amendments to House Bill No. 50 be not concurred in, and request a conference committee.

That Senate amendments to House Bill No. 147 be passed for the time being.

That Senate amendments to House Bill No. 163 be concurred in.

That Senate amendments to House Bill No. 274 be concurred in.

That Senate amendments to House Bill No. 298 be concurred in.

That Senate amendments to House Bill No. 147 be concurred in.

NELSON, Chairman."

On motion of Nelson, report adopted.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that House Bills Nos. 319, 320, and 321 be reported correctly engrossed and placed on third reading.

The Speaker appointed the following conference committee for consideration of Senate amendments to House Bill No. 50: Flachsenhar of Prairie, Nelstead of Carter, Besancon of Missoula.

There being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced by the Appropriations Committee, read first time by title, second time at length and referred to the Appropriations Committee:

House Bill No. 323, by Appropriations Committee: A Bill for an Act entitled: "A supplementary appropriation bill appropriating the sum of \$25,000.00 to pay the mileage and per diem of the members of the Senate and of the managers appointed by the House of Representatives of the State of Montana, for the trial of the articles of impeachment preferred against C. T. Stewart, Secretary of State, and to defray all other expenses incident to said impeachment proceedings."

There being no objections, House reverted to Order of Business No. 8.

THIRD READING OF SENATE BILLS

Senate Bill No. 109, introduced by Survant, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Chatham, Cheadle, Clarke, Curran, Donaldson, Dunn, Erickson, Foot, Fulsher, Good-

Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Leavens, Logan, win, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tierney, Tinsley, Troy, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—80.

Noes: Cavanaugh. Total—1.

Absent and not voting: Bretzke, Burns, Clausen, Cooney, Darlinton, Dellwo, Doran, Dougherty, Flachsenhar, Jones (Ravalli), Larson, Leavitt, Lillis, Lowry, Merritt, Moss, Ryder, Shields, Thorburn, Waite, White. Total—21.

THIRD READING OF HOUSE BILLS

House Bill No. 319, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Budas, Cavanaugh, Cheadle, Clarke, Clausen, Curran, Dellwo, Donaldson, Dougherty, Fulsher, Goodwin, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Logan, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Sample, Sparling, Steeves, Sutton, Throssel, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—71.

Noes: Arnold, Brown, Burke, Chatham, Cooney, Erickson, Foot, Green (Fergus), Kroman, O'Day, Rorvik, Shields, Stambaugh. Total—13.

Absent and not voting: Bretzke, Bricker, Burns, Darlinton, Doran, Dunn, Flachsenhar, Hodgskiss, Tierney, Leavitt, Lillis, Lowry, McLeod, Moss, Ryder, Thorburn, Waite. Total—17.

Pass: Knowles. Total—1.

House Bill No. 320, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Cheadle, Clarke, Clausen, Curran, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harris, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Leavitt, Logan, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Steeves, Sutton, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Bretzke, Burns, Chatham, Cooney, Darlinton, Flachsenhar, Hardcastle, Jones (Phillips), Larson, Leavens, Lillis, Lowry, McLeod, Moss, Nagle, Ryder, Stambaugh, Thorburn, Throssel, Tierney, Tinsley, Waite. Total—22.

Pass: Hodgskiss. Total—1.

House Bill No. 321, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benson, Barry, Besancon, Bonine, Bricker, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Dellwo, Donaldson, Doran, Dougherty, Erickson, Foot,

Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Logan, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rognlien, Rorvik, Sample, Sparling, Steeves, Sutton, Tinsley, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Adair, Benjamin, Bretzke, Brown, Burns, Cooney, Darlington, Dunn, Flachsenhar, Jones (Phillips), Leavitt, Lillis, Lowry, McLeod, Moss, Nagle, Rockwood, Ryder, Shields, Stambaugh, Thorburn, Throssel, Tierney, Troy, Waite. Total—25.

Senate amendments to House Bill No. 147, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Clausen, Curran, Cheadle, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Leavens, Logan, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Shields, Sparling, Steeves, Sutton, Tinsley, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—75.

Noes: Clarke, Plumer. Total—2.

Absent and not voting: Adair, Bretzke, Burns, Cooney, Darlington, Flachsenhar, Jones (Phillips), Knowles, Larson, Leavitt, Lillis, Lowry, McLeod, Moss, Nagle, Nelson, Rorvik, Ryder, Sample, Stambaugh, Thorburn, Throssel, Tierney, Troy, Waite. Total—25.

Senate amendments to House Bill No. 163, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Leavens, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Steeves, Sutton, Tinsley, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Adair, Bretzke, Burns, Clausen, Cooney, Curran, Darlington, Flachsenhar, Green (Dawson), Larson, Leavitt, Lillis, Lowry, Moss, Nagle, Nelson, Ryder, Shields, Stambaugh, Thorburn, Throssel, Tierney, Troy, Waite, White. Total—25.

Senate amendments to House Bill No. 274, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burks, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Leavens, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton,

Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Reed, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Tinsley, Troy, Waite, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—79.

Noes: Prescott. Total—1.

Absent and not voting: Adair, Bretzke, Burns, Cooney, Darlinton, Flachsenhar, Holton, Lamb, Larson, Leavitt, Lillis, Lowry, Moss, Nagle, Rife, Ryder, Shields, Sutton, Thorburn, Throssel, Tierney, White. Total—22.

Senate amendments to House Bill No. 298, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jone (Cascade), Kelly, Knight, Knowles, Kroman, Leavens, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Stambaugh, Steeves, Sutton, Tinsley, Troy, Waite, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—82.

Noes: None.

Absent and not voting: Adair, Bretzke, Burns, Darlinton, Dellwo, Flachsenhar, Lamb, Larson, Leavitt, Lillis, Lowry, Moss, Nagle, Ryder, Shields, Sparling, Thorburn, Throssel, Tierney, White. Total—20.

There being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bill was introduced by the Appropriations Committee read first time by title, second time at length and referred to the Appropriations Committee.

House Bill No. 324, by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the payment of the claim of Catharine Crossland Smith as compensation for expenses incurred by her husband, the late Robert B. Smith, while in the performance of his duties as Governor of the State of Montana."

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 323, by Appropriations Committee, respectfully report as follows: That House Bill No. 323, be passed.

REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 324 by Appropriations Committee, respectfully report as follows: That House Bill No. 324 do pass.

REED, Chairman."

On motion of Reed, report adopted.

There being no objections House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Reed, duly seconded and carried, that House Bills Nos. 323 and 324 be reported correctly printed and placed on General Orders.

At the request of Bricker, there being no objections House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried that the House now resolve itself into Committee of the Whole for consideration of General Orders, under same rules as previous sitting.

Mr. Nelstead in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 323 and 324 respectfully report as follows:

That House Bill No. 323 do pass.

That House Bill No. 324 do pass.

NELSTEAD, Chairman."

On motion of Nelstead, report adopted.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried that House Bills Nos. 323 and 324 be reported correctly engrossed and placed on Third Reading.

There being no objections House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

House Bill No. 323, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Donaldson, Doran, Dougherty, Erickson, Foot, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Lamb, Larson, Leavens, Logan, McCleary, McLeod, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Sample, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Waite, Warren, Willard, Woodcock, Mr. Speaker. Total—78.

Noes: None.

Absent and not voting: Benjamin, Bretzke, Burns, Darlington, Dellwo, Dunn, Flachsenhar, Kelly, Knowles, Kroman, Leavitt, Lillis, Lowry, Marshall, Moss, Moulton, Nagle, Rorvik, Ryder, Shields, Thorburn, Tierney, Troy, Westlake, White. Total—24.

House Bill No. 324, introduced by Appropriations Committee, having been read three several times, title and history agreed to was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Donaldson, Dougherty, Erickson, Foot, Fulsher, Goodwin, Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Leavens, Logan, McCleary, McLeod, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rockwood, Rognlien, Rorvik, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Warren, Willard, Woodcock, Mr. Speaker. Total—70.

Noes: Green (Dawson), Sample, Sparling. Total—3.

Absent and not voting: Barry, Besancon, Bonine, Bretzke, Burns, Darlington, Dellwo, Dougherty, Dunn, Flachsenhar, Green (Fergus), Knowles, Kroman, Larson, Leavitt, Lillis, Lowry, Marshall, Moss, Nagle, Rife, Ryder, Shields, Thorburn, Tierney, Troy, Waite, Westlake, White. Total—29.

Moved by Bricker, duly seconded and carried, that the House recess until 2:30 P. M.

AFTERNOON SESSION

House resumed at 2:30 P. M.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The following report of select committees was received:
 "To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee on House Bill No. 69, respectfully report as follows: The Senate recedes from the Senate amendments.

Respectfully submitted,

House Conference Committee:

LEAVITT.
 DUNN.
 NAGLE.

Senate Conference Committee:

McCORMICK.
 CORRINGTON.
 CHURCH.

The conference committee report was adopted by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Darlington, Dougherty, Dunn, Erickson, Foot, Fulsher, Goodwin, Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Lillis, Logan, McCleary, McLeod, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nestead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Stambaugh, Sutton, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting: Benson, Bretzke, Burns, Cheadle, Dellwo, Donaldson, Doran, Flachsenhar, Green (Fergus), Knowles, Leavitt, Lowry, Mason, Moss, Sample, Shields, Sparling, Steeves, Thorburn, Tinsley, Willard. Total—21.

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Highways, having had under consideration, Senate Bill No. 131, introduced by Walker by request, respectfully report as follows: That Senate Bill No. 131 be concurred in.
 GREEN of Dawson, Vice-Chairman."

On motion of Green of Dawson, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 36 introduced by McCormick by request, respectfully report as follows: That Senate Bill No. 36 be concurred in.
 GREEN of Dawson, Vice-Chairman."

On motion of Green of Dawson, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration substitute for Senate Bill No. 54, introduced by Committee on Roads and Highways, respectfully report as follows: That substitute for Senate Bill No. 54 be concurred in.

GREEN of Dawson, Vice-Chairman."

On motion of Green of Dawson, report adopted.

"Mr. Speaker: We, your Committee on State Lands, having had under consideration Substitute for Senate Bill No. 117, introduced by Porter, respectfully report as follows: That substitute for Senate Bill No. 117 be not concurred in.

HOLTON, Chairman."

On motion of Holton, report adopted.

There being no objections, House reverted to Order of Business No. 10

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under same rules as previous sitting.

Mr. White in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration, Senate Bill No. 131, Senate Bill No. 36, Substitute Senate Bill No. 54, respectfully report as follows:

That Senate Bill No. 131 be amended as follows: Section 4: By adding before the words "a street car", in line 35 of the printed bill, the words "on either side thereof", and that as so amended said bill be concurred in.

That Senate Bill No. 36 be concurred in.

That Substitute Senate Bill No. 54 be concurred in.

WHITE, Chairman."

On motion of White, report adopted.

There being no objections, House reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The following reports of select committees were received:

Helena, Montana, March 2, 1927.

"President of the Senate and Speaker of the House:

We, your Conference Committee on House Bill No. 309, respectfully report as follows:

The House concedes to all Senate amendments except the amendment inserting in Section 3 and the said Section 3, and the Conference Committee amends said Section 3 by substituting therefor the following:

"Section 3. The money herein appropriated by the provisions of this Act shall not be paid to the said Andy Briscoe until the said Andy Briscoe shall have first filed with the State Board of Examiners a release of that part of his said claim which shall have accrued from the date of the said accident until the first day of March, 1927."

The Conference Committee amends Section 1 by striking out the words and figures "Thirty Hundred Fifty-five (\$3055.00) Dollars" in lines 9 and 10 and inserting in lieu thereof the words and figures "Twenty-eight Hundred Sixty (\$2860.00) Dollars."

The Conference Committee amends Section Section 2 in line 21 by striking out the words and figures "Twelve Hundred Thirty-five (\$1235.00) Dollars" and inserting in lieu thereof the words and figures "Thirteen Hundred (\$1300.00) Dollars"; and by striking out in line 22 the words "Feb-

ruary" and inserting in lieu thereof the word "March"; and by striking out in line 26 the word "June" and inserting in lieu thereof the word "February".

Respectfully submitted,

PAUL.
BUTTLEMAN.
HENDERSON.
CHEADLE.
BALLARD.
WHITE."

On roll call the Conference Committee report was adopted by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle,, Clarke, Clausen, Cooney, Curran, Darlington, Doran, Dougherty, Dunn, Erickson, Foot, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Jameson, Jensen, Jones (Phillips), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Leavens, Lamb, Larson, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: None.

Absent and not voting: Bretzke, Burns, Dellwo, Donaldson, Flachsenhar, Harris, Holton, Johnson, Jones (Ravalli), Leavitt, Lillis, Logan, Lowry, Moss, Sample, Shields, Thorburn, Tierney, Troy. Total—19.

"Mr. Speaker: We, your Conference Committee, appointed to consider House Bill No. 196, beg leave to report as follows: That the Senate recede from all amendments except the amendment striking out lines 15, 16, 17 and 18 of the engrossed bill, and as so amended we recommend that House Bill No. 196 do pass.

House Conference Committee:

WAITE.
FLACHSENHAR.
BONINE.

Senate Conference Committee:

SCHNITZLER.
DUNCAN.
CAMPBELL of Missoula.

On roll call the Conference Committee report was adopted by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Doran, Dougherty, Dunn, Erickson, Foot, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, McCleary, McLeod, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Bretzke, Burns, Dellwo, Donaldson, Flachsenhar, Hagerty, Leavens, Leavitt, Lillis, Logan, Lowry, Mason, Moss, Prescott, Shields, Thorburn, Tierney, Troy. Total—18.

There being no objections, House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS AND MEMORIALS

The following bills were introduced by the Appropriations Committee, read first time by title, second time at length and referred to the Appropriations Committee.

House Bill No. 325, by Appropriations Committee: A Bill for an Act entitled: "An Act making an additional appropriation of money for the maintenance of certain State Departments for the period from July 1, 1925, up to and including June 30, 1927."

House Bill No. 326, by Appropriations Committee: A Bill for an Act entitled: "An Act making an additional appropriation of money for the maintenance of certain State Departments for the period from July 1, 1925, up to and including June 30, 1927."

House Bill No. 327, by Appropriations Committee: A Bill for an Act entitled: "An Act making an additional appropriation of money for the maintenance of certain State Departments for the period from July 1, 1925, up to and including June 30, 1927."

House Bill No. 328, by Appropriations Committee: A Bill for an Act entitled: "An Act making an additional appropriation of money for the maintenance of certain State Departments for the period from July 1, 1925, up to and including June 30, 1927."

At the request of Reed, there being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received:

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 325 by the Appropriations Committee, respectfully report as follows: That House Bill No. 325, do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 326, respectfully report as follows: That House Bill No. 326 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 327, respectfully report as follows: That House Bill No. 327 do pass.
REED, Chairman."

On motion of Reed, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 328, respectfully report as follows: That House Bill No. 328 do pass.
REED, Chairman."

On motion of Reed, report adopted.

At the request of Reed, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Reed, duly seconded and carried, that House Bills Nos. 322, 325, 326, 327, 328 be reported correctly printed and engrossed and placed on General Orders.

The following resolution was introduced:

Helena, Montana, February 28, 1927.

"Be It Resolved, by the House of Representatives, that H. J. Faust, Chief Clerk of the House, be employed for a period of fifteen days at ten dollars per day.

J. L. Murphy, Assistant Chief Clerk of the House, be employed for a period of twelve days at eight dollars per day.

Grace Dundas, Journal Clerk of the House, be employed for a period of fifteen days at eight dollars per day.

Eugenia Gove, Assistant Journal Clerk of the House, be employed for a period of fifteen days at six dollars per day.

Florence McLaughlin, Assistant Chief Clerk of the House, be employed for a period of twelve days at six dollars per day.

Earl Cooke, Reading Clerk of the House, be employed for a period of twelve days at six dollars per day.

A. E. McFatrige, Sergeant-at-Arms of the House, be employed for a period of fifteen days at ten dollars per day.

Harry Whitcomb, Assistant Sergeant-at-Arms of the House, be employed for a period of ten days at eight dollars per day.

W. B. Garrigus, Assistant Sergeant-at-Arms of the House, be employed for a period of ten days at eight dollars per day.

Albert Budas, Jr., Sergeant-at-Arms Clerk of the House be employed for a period of ten days at five dollars per day.

Reid Lanway as Bill Clerk for the House, be employed for a period of seven days at six dollars per day.

To take effect at the close of the Session of the Twentieth Legislative Assembly, to clear up the affairs of the House of Representatives in the regular session of the Twentieth Legislative Assembly, and that the Chief Clerk of the House be authorized to certify to the State Auditor the pay roll for service rendered under the provisions of this Resolution.

Respectfully submitted,

RYDER, Chairman,
Employment Committee."

On motion of Ryder, resolution adopted.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Bricker, duly seconded and carried, that the following communications received from the Senate be considered read at length and the Journal so show.

Helena, Montana March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 226 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Counties and Towns Amendment:

Amend by inserting after the word "whatever" in line 18, page 1, being in Section 2 of the engrossed bill, the following: "Provided, a police officer serving in the United States Army or/and Navy, in time of war or national emergency shall be given credit upon his police record for such service in the same manner as though on active police duty for such time."

Amend Paragraph 5 of the engrossed bill by inserting in line 11 of page 2 of the bill after the word "payments" the following: "from the funds in this act provided for."

Amend Section 10 of the engrossed bill by striking out at the end of line 18, on page 3, the period, and inserting the word "and".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 219 was this day read three several times and con-

curred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Education Amendment:

Amend by striking out in Section 1, line 15, the words and figures "One Hundred Thousand Dollars (\$100,000.00)" and inserting in lieu thereof the words and figures "Seventy-five Thousand Dollars (\$75,000.00)".

Amend in line 29, of Section 1, by striking out the words and figures "Seventy-five Thousand Dollars (\$75,000.00)" and inserting in lieu thereof the words and figures "Forty Thousand Dollars (\$40,000.00)".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 186 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee of the Whole Amendments:

Amend in Section 38 on page 14 of the printed bill by inserting in line 35 after the word "land" the following words "except that the grazing rates only shall be charged for summer fallowed land."

Amend in Section 97 by inserting after the word "acre" in line 6 of Section 97, printed bill, the following: "Provided, further, that in case the land is offered for sale at public auction, the old lessee need not make a higher bid than others, but shall if bidding an equal amount be given the preference."

Amend Section 132 of the printed bill by striking out in line 15 the words "fifteen" (being line 4, page 59, Section 110 engrossed bill) and inserting in lieu thereof the word "ten".

Amend Section 146 of the printed bill (Sec. 124 of engrossed bill) by striking out the entire section.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 87 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Finance and Claims amendment:

At line 27, Section 2, of said bill, page 1, by inserting the following after the figures "\$35,000.00";

"That the sum of \$15,000.00 shall be and the same is hereby set aside for the purpose of the payment of premiums on livestock, agricultural exhibits and such other exhibits as the State Fair Board shall designate, and that the said sum of \$15,000.00 shall be used for no other purpose. That the sum of \$20,000.00 shall be used for the purpose of maintenance, operation and other expenses of the Montana State Fair, and shall be used for no other purpose."

Amend on page 2, line 7, Section 3, by inserting the following after the figures "\$35,000.00".

"That the sum of \$15,000.00 shall be and the same is hereby set aside for the purpose of the payment of premiums on livestock, agricultural exhibits and such other exhibits as the State Fair Board shall designate, and that the sum of \$15,000.00 shall be used for no other purpose. That the sum of \$20,000.00 shall be used for the purpose of maintenance, operation and other expenses of the Montana State Fair, and shall be used for no other purpose."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 70 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee of the Whole amendment:

Amend by striking out in lines 3 and 4 of the printed bill the words, "at any time thereafter deemed proper, may" and insert in lieu thereof the following: "must within thirty days thereafter".

Committee on Taxation amendment:

Amend by striking out beginning in line 19 after the figures "1921" all the remaining part of Section 1.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and same are herewith returned to the House.

H. B. No. 208, by Knight.

Sub. for H. B. No. 190, by Committee on State Lands.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 64 was this day read three several times and concurred in as amended, title agreed to, and is herewith transmitted to the House for concurrence in Senate amendments:

Committee on finance and Claims amendments:

Amend Section 1 by striking out lines 27, 28, 29, 30, 31 and 32 of Section 1, page 1, of the engrossed bill.

Correct on page 2, line 19 of the engrossed bill and also on page 6, line 22, by striking out the words and figures "Six Thousand Dollars" (\$6,000.00) and inserting in lieu thereof the words and figures "Seven Thousand Five Hundred Dollars (\$7,500.00)".

That in addition to all other amendments heretofore made by the Committee on Finance and Claims to H. B. No. 64, as contained in the reports of this committee heretofore submitted, and attached, your Committee desires to further amend H. B. No. 64 by striking out the words and figures "\$500.00" in line 23, page 2, of the original bill and inserting in lieu thereof the words and figures "\$2000.00".

That line 6, of page 3 of the engrossed bill be amended by striking out the words and figures "\$100.00" and inserting in lieu thereof the words and figures "\$383.00".

Amend lines 8 and 9 by striking out of the same the words and figures "\$2275.00" and inserting in lieu thereof the words and figures "\$3467.00".

That lines 19 and 20, page 3, of the engrossed bill be amended by striking out the words and figures "\$125.00" and inserting in lieu thereof the words and figures "\$375.00".

That the amendment to line 24, page 3, of the original bill be stricken out and that the words and figures "\$9,100.00" at line 24, page 3 of the original bill be stricken out and that the words and figures "\$10,300.00" be inserted in lieu thereof.

That between lines 25 and 26, page 3, of the original bill the following be inserted: "Salary of insurance commissioner \$600.00".

That said bill be further amended at line 31, Section 1, page 3, of the engrossed bill by striking out the words and figures "\$4136.00" and substituting in lieu thereof the words and figures \$3536.00 and that said bill

be further amended at lines 27 and 28, page 3, Section 1 of the engrossed bill by striking out the words and figures "\$4900.00" and inserting in lieu thereof the words and figures "\$5500.00".

That said bill be further amended by inserting before line 4, page 4, of the original bill the words and figures "Investment Department \$500.00".

Amendment provided for in the original report on Section 1, page 4, line 19 of the engrossed bill be stricken out and that all of lines 18, 19, 20, 21, 22 and 23, page 4, Section 1 of the engrossed bill be stricken out and the following inserted in lieu thereof: "For operating expense of the superintendent's office and for salaries of High School Inspector and for salaries of Rural School Inspectors and for traveling expenses the sum of \$17,730.00".

That lines 6 and 7, page 5, of the original bill be stricken out.

Further amend by striking out lines 28, 29, 30, 31 and 32 on page 5, Section 2, of the engrossed bill.

Amend at line 26, page 6, of the original bill by striking out the words and figures "\$500.00" and inserting in lieu thereof the words and figures "\$2000.00".

Amend Section 2, line 8, page 7, of the engrossed bill by striking out the words and figures \$100.00" and inserting in lieu thereof the words and figures "\$383.00".

Amend lines 9 and 10 of Section 2, page 7, of the engrossed bill by striking out the words and figures "\$2275.00" and inserting in lieu thereof the words and figures "\$3467.00".

Amend Section 2 at page 7 of the engrossed bill at lines 21 and 22 by striking out the words and figures "\$125.00" and inserting in lieu thereof the words and figures "\$375.00".

Amend by striking out the amendments heretofore made by this committee to line 24, page 7, and that the words and figures "\$9,100.00" be stricken from the original bill and the following words inserted in lieu thereof "\$10,300.00".

And that after the words "follows" in line 27, page 7, of the said original bill the following words be inserted "Salary of Insurance Commissioner \$600.00".

Amend by striking out the words and figures "\$4900.00" at lines 29 and 30, page 7, Section 2 of the engrossed bill and substituting in lieu thereof the words and figures "\$5500.00".

Amend by striking out the words and figures "\$4136.00" at line 1, page 8, Section 2, of said engrossed bill and inserting in lieu thereof the words and figures "\$3536.00".

Amend by inserting before line 6, page 8, of the original bill, "Investment Department \$500.00".

Amend at Section 2, page 8, lines 19 and 20 by striking out the amendment thereto and striking out said lines 19 and 20 of said engrossed bill and inserting in lieu thereof the following:

"For operating expense of the superintendent's office and for salaries of High School Inspector and for salaries of Rural School Inspectors and for traveling expenses the sum of \$17,730.00".

Committee of the Whole amendments:

Amend by striking out in Section 2 by striking out in line 100 the figures "\$15,000" and inserting in lieu thereof the figures "\$7,500.00".

Secretary to correct on page 6, line 22, by striking out the words and figures "Six Thousand Dollars (\$6,000.00) and inserting in lieu thereof the words and figures "Seven Thousand Five Hundred" (\$7,500.00).

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 268 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee of the Whole amendments:

That H. B. No. 268 be amended in the title of House Bill No. 268 by striking out the marks and characters of punctuation at the end of the title after the word district and inserting in lieu thereof a comma and the following words and punctuation: "and to add a new section to the code to be known as Section 5266A providing for assessments against Street Railways in said Lighting Districts".

Amend by adding a new section thereto to be known as Section 8.

Section 8. That a new section be added to the code to be known as Section 5266A which shall be and read as follows:

Section 5266A. Assessments Against Street Railways. Whenever the City or Town Council in creating a Special Improvement District for lighting streets as authorized in Section 5259 hereof, shall include within the boundaries of said district any street or streets upon which a street railway is operated, the City or Town Council may assess not to exceed one-sixth of the entire cost and expense of installing such lighting system and not to exceed one-sixth of the cost of the yearly maintenance and cost of supplying electrical current in such district, against such street railway company in the same manner and under the same resolutions passed by the City Council for the assessment of all other property embraced within the district. Provided further, that when any assessment is made or is to be made against any Street Railway Company operating within said City or Town, said Street Railway Company shall have the right to protest against the creation of the special lighting improvement district or against the assessment to be made against it in the same manner and in the same proportion as any other property embraced within the district might protest, if it were to bear an assessment equal to the amount of the assessment made or to be made against said street railway.

That Section 8 be renumbered Section 9.

Respectfully,

J. F. CONE, Secretary of Senate."

The Speaker gave notice that he was about to sign Senate Bill No. 78, Senate Bill No. 125, and thereupon signed said bills.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders under the same rules as previous sitting.

Mr. White in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 325, House Bill No. 326, House Bill No. 327, House Bill No. 328, House Bill No. 322, Senate amendments to House Bill No. 64, Senate amendments to House Bill No. 70, Senate amendments to House Bill No. 87, Senate amendments to House Bill No. 186, Senate amendments to House Bill No. 219, Senate amendments to House Bill No. 226, Senate amendments to House Bill No. 268, respectfully report as follows:

That House Bill No. 325 do pass.

That House Bill No. 326 do pass.

That House Bill No. 327 do pass.

That House Bill No. 328 do pass.

That House Bill No. 322 do pass.

That consideration of Senate amendments to House Bill No. 64, be passed for the time.

That Senate amendments to House Bill No. 70 be not concurred in and request a conference committee.

That consideration of Senate amendments to House Bill No. 64 be passed for the time.

That Senate amendments to House Bill No. 87, be concurred in.

That Senate amendments to House Bill No. 186 be concurred in.

That Senate amendments to House Bill No. 219 be concurred in.

That Senate amendments to House Bill No. 226 be concurred in.

That Senate amendments to House Bill No. 268 be not concurred in and request a conference committee.

That Senate amendments to House Bill No. 64 be not concurred in and request a conference committee.

WHITE, Chairman."

On motion of White, report adopted.

The Speaker appointed the following conference committee for consideration of Senate amendments to House Bill No. 70: Donaldson of Chouteau, Jameson of Yellowstone, Adair of Lewis and Clark.

The Speaker appointed the following conference committee for consideration of Senate amendments to House Bill No. 64: Reed of Broadwater, Jones of Ravalli, Doran of Silver Bow.

There being no objections, House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The following report of standing committees was received:

"Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration motion by Stambaugh that Rule 35 be suspended to allow the Committee on Federal Relations to introduce a memorial report back with the recommendation that the rule be not suspended.

COONEY, Vice-Chairman."

Question arising on the adoption of the report:

Call of the House demanded by Stambaugh, seconded by fifteen members.

The clerk called the roll and found the following members absent and excused:

Bretzke, Burke, Flachsenhar, Fulsher, Knight, Leavitt, Moss, Moulton, Nelstead, Sample, Waite.

On motion of Bricker, further action on call of the House was dispensed with.

On roll call, the report was adopted by the following vote:

Ayes: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Foot, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Larson, Leavens, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Shields, Sparling, Steeves, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—78.

Noes: Arnold, Erickson, Hodgskiss, Jones (Phillips), Kroman, Merritt, Nelson, Stambaugh, Sutton, Throssel. Total—10.

Absent and not voting: Bretzke, Burns, Flachsenhar, Fulsher, Lamb, Leavitt, Lowry, Moss, Moulton, Plank, Ryder, Sample, Thorburn, Tierney. Total—14.

There being no objections, House reverted to Order of Business No. 8.

The Printing Committee reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 322 as correctly printed.

COONEY, Chairman."

THIRD READING OF SENATE BILLS

Senate Bill No. 131, introduced by Walker, by request, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Barry, Besancon, Bonine, Bricker, Budas, Burke, Chatham, Clarke, Clausen, Cooney, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Larson, Leavens, Logan, McLeod, Mason, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nelson, Nicholson, O'Day, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Troy, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—70.

Noes: Cavanagh, Hodgskiss, McCleary, Merritt, Waite. Total—5.

Absent and not voting: Benson, Bretzke, Brown, Burns, Cheadle, Curran, Darlington, Dellwo, Flachsenhar, Fulsher, Holton, Jones (Phillips), Knowles, Lamb, Leavitt, Lillis, Lowry, Marshall, Moss, Moulton, Nagle, Nelstead, Plank, Rorvik, Sample, Thorburn, Tierney. Total—27.

Senate Bill No. 36, introduced by McCormick, by request, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Budas, Burke, Cavanaugh, Chatham, Clarke, Clausen, Cooney, Curran, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Cascade), Kelly, Knight, Kroman, Leavens, Lillis, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, Westlake, Willard, White, Woodcock, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Bretzke, Brown, Burns, Cheadle, Darlington, Flachsenhar, Fulsher, Holton, Jones (Phillips), Johnson, Jones (Ravalli), Knowles, Lamb, Larson, Leavitt, Logan, Lowry, Moss, Moulton, Nelstead, Plank, Reed, Sample, Thorburn, Tierney. Total—25.

Substitute Senate Bill No. 54, introduced by Committee on Roads and Highways, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Burke, Chatham, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Doran, Dougherty, Dunn, Erickson, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Larson, Leavens, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nelson, Nicholson, O'Day, Plumer, Prescott, Reed, Ryder, Shields, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Mr. Speaker. Total—69.

Noes: Budas, Cavanaugh, Foot, Jensen, McLeod, Rockwood, Rognlien, Rorvik, Woodcock. Total—9.

Absent and not voting: Bretzke, Brown, Burns, Cheadle, Dellwo, Flachsenhar, Fulsher, Holton, Jones (Phillips), Knowles, Lamb, Leavitt, Lillis, Logan, Lowry, Moss, Moulton, Nagle, Nelstead, Plank, Rife, Sample, Thorburn, Tierney. Total—24.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that House Bills Nos. 322, 325, 326, 327, 328 be reported correctly engrossed and placed on Third Reading.

There being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

House Bill No. 322, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benson, Barry, Besancon, Bonine, Bricker, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington, Donaldson, Doran, Dunn, Erickson, Foot, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Larson, Leavens, McCleary, McLeod, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nelson, Nicholson, O'Day, Plumer, Prescott, Reed, Rognlien, Rorvik, Ryder, Shields, Sparling, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, White, Woodcock, Mr. Speaker. Total—68.

Noes: Budas, Dougherty, Rockwood. Total—3.

Absent and not voting: Akofer, Benjamin, Bretzke, Brown, Burns, Curran, Dellwo, Flachsenhar, Fulsher, Harris, Holton, Knowles, Lamb, Leavitt, Lillis, Logan, Lowry, Marshall, Mason, Moss, Moulton, Nagle, Nelstead, Plank, Rife, Sample, Stambaugh, Thorburn, Tierney, Westlake, Willard. Total—31.

House Bill No. 325, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Cooney, Curran, Darlington, Donaldson, Doran, Dunn, Erickson, Foot, Goodwin, Green (Dawson), Gustafson, Hardcastle, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Larson, Leavens, Lillis, McCleary, McLeod, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Nelson, Plumer, Prescott, Reed, Rockwood, Rognlien, Ryder, Shields, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—66.

Noes: None.

Absent and not voting: Akofer, Barry, Bretzke, Bricker, Brown, Burns, Clausen, Dellwo, Dougherty, Flachsenhar, Fulsher, Green (Fergus), Hagerty, Harris, Holton, Knowles, Lamb, Leavitt, Logan, Lowry, Marshall, Moss, Moulton, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Rife, Rorvik, Sample, Sparling, Stambaugh, Thorburn, Tierney. Total—36.

House Bill No. 326, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Arnold, Ballard, Benson, Besancon, Bonine, Budas, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Darlington,

Doran, Dunn, Erickson, Goodwin, Green (Dawson), Gustafson, Hagerty, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Larson, Leavens, Lillis, Logan, McCleary, McLeod, Mason, Merritt, Miller (Lincoln), Mulholland, Murphy, Nelson, O'Day, Plumer, Prescott, Rockwood, Rognlien, Shields, Sparling, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Woodcock, Mr. Speaker. Total—62.

Noes: Hardcastle. Total—1.

Absent and not voting: Akofer, Benjamin, Barry, Bretzke, Bricker, Brown, Burke, Burns, Curran, Dellwo, Donaldson, Dougherty, Foot, Flachsenhar, Fulsher, Green (Fergus), Harris, Holton, Knowles, Lamb, Leavitt, Lowry, Marshall, Miller (Fergus), Moss, Moulton, Nagle, Nelstead, Nicholson, Plank, Reed, Rife, Rorvik, Ryder, Sample, Stambaugh, Thorburn, Tierney, Willard. Total—39.

House Bill No. 327, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Doran, Dunn, Erickson, Foot, Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, O'Day, Plumer, Rockwood, Rognlien, Shields, Sparling, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—70.

Noes: None.

Absent and not voting: Barry, Bretzke, Bricker, Burns, Dellwo, Donaldson, Dougherty, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Harris, Holton, Knowles, Lamb, Larson, Lowry, Miller (Fergus), Moss, Moulton, Nelstead, Nicholson, Plank, Prescott, Reed, Rife, Rorvik, Ryder, Sample, Stambaugh, Thorburn, Tierney. Total—32.

House Bill No. 328, introduced by Appropriations Committee, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Bonine, Brown, Budas, Burke, Cavanaugh, Chatham, Clarke, Clausen, Curran, Doran, Dougherty, Dunn, Erickson, Foot, Goodwin, Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Merritt, Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, O'Day, Plumer, Prescott, Rockwood, Rognlien, Rorvik, Shields, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—72.

Noes: None.

Absent and not voting: Barry, Bretzke, Bricker, Burns, Cheadle, Cooney, Darlington, Dellwo, Donaldson, Flachsenhar, Fulsher, Green (Fergus), Harris, Holton, Knowles, Lamb, Lowry, Mason, Miller (Fergus), Moss, Moulton, Nelstead, Nicholson, Plank, Reed, Rife, Ryder, Sample, Thorburn, Tierney. Total—30.

Senate amendments to House Bill No. 87, having been read three several times, were concurred in by the following vote:

Ayes: Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Bonine, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Doran, Dougherty, Dunn, Foot, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Larson, Leavens, Lillis, Logan, McCleary, Marshall,

Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, O'Day, Plumer, Prescott, Reed, Rognlien, Rorvik, Shields, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—72.

Noes: Abrahamson, Erickson. Total—2.

Absent and not voting: Barry, Besancon, Bretzke, Bricker, Burns, Cooney, Dellwo, Donaldson, Flachsenhar, Fulsher, Harris, Holton, Knowles, Lamb, Leavitt, Lowry, McLeod, Moss, Moulton, Nelstead, Nicholson, Plank, Rife, Rockwood, Ryder, Sample, Thorburn, Tierney. Total—28.

Senate amendments to House Bill No. 186, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Budas, Burke, Cavanaugh, Cheadle, Clarke, Clausen, Curran, Darlington, Doran, Dougherty, Dunn, Erickson, Foot, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Plumer, Reed, Rockwood, Rognlien, Rorvik, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—74.

Noes: None.

Absent and not voting: Bretzke, Bricker, Brown, Burns, Chatham, Cooney, Dellwo, Donaldson, Flachsenhar, Fulsher, Harris, Holton, Jameson, Knowles, Lamb, Lowry, Moss, Moulton, Nelstead, Plank, Prescott, Rife, Ryder, Sample, Shields, Thorburn, Tierney, Westlake. Total—28.

Senate amendments to House Bill No. 219, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Budas, Burke, Cavanaugh, Clarke, Clausen, Curran, Darlington, Doran, Erickson, Foot, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Hodgskiss, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Larson, Leavens, Lillis, Logan, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Nagle, Nelson, Nicholson, O'Day, Reed, Rockwood, Rorvik, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, Westlake, White, Mr. Speaker. Total—62.

Noes: Holton, McCleary, Plumer, Rognlien, Willard, Woodcock. Total—6.

Absent and not voting: Bretzke, Bricker, Brown, Burns, Chatham, Cheadle, Cooney, Dellwo, Donaldson, Dougherty, Dunn, Flachsenhar, Fulsher, Hagerty, Harris, Jameson, Johnson, Knowles, Lamb, Leavitt, Lowry, Moss, Moulton, Murphy, Nelstead, Plank, Prescott, Rife, Ryder, Sample, Shields, Sparling, Thorburn, Tierney. Total—34.

Senate amendments to House Bill No. 226, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Bonine, Bricker, Budas, Burke, Cavanaugh, Clarke, Clausen, Curran, Darlington, Doran, Dougherty, Dunn, Erickson, Foot, Goodwin, Green (Fergus), Green (Dawson), Hardcastle, Hodgskiss, Holton, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Larson, Leavens, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nicholson, O'Day, Prescott, Reed, Rognlien, Rorvik, Shields, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—69.

Noes: Plumer. Total—1.

Absent and not voting: Besancon, Bretzke, Brown, Burns, Chatham, Cheadle, Cooney, Dellwo, Donaldson, Flachsenhar, Fulsher, Gustafson,

Hagerty, Harris, Jameson, Johnson, Knowles, Lamb, Leavitt, Lowry, Miller (Fergus), Moss, Moulton, Nelstead, Plank, Rife, Rockwood, Ryder, Sample, Thorburn, Tierney, Troy. Total—32.

Moved by Bricker, duly seconded and carried, that the House recess until 7:30 P. M.

EVENING SESSION

House resumed at 7:30.

Mr. Speaker in the chair.

The Enrolling Committee reported as follows:

“Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 95, 163, 183, 194, 197, 224, 238, 261, 265, 274, 281, 283, 301, 302, 308, Sub. H. B. No. 12.

WAITE, Chairman.”

There being no objections, House reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The following report of select committees was received:

“To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee on House Bill No. 70, having had said bill under consideration respectfully recommend that the Senate recede from its amendment to Section 1 in lines 3 and 4 of the printed bill which struck out the words “at any time thereafter deemed proper, may” and inserted in lieu thereof the following “must after thirty days thereafter”, and we further recommend that the House concur in the Senate amendment to Section 1 which struck out everything in line 19 after the figures “1921” and all of the remainder of Section 1.

Respectfully submitted,

SURVANT.

SWIFT.

GARBER.

DONALDSON.

JAMESON.

ADAIR.

On roll call, the Conference committee report was adopted by the following vote:

Ayes: Abrahamson, Adair, Akofer, Benjamin, Benson, Bonine, Brown, Budas, Burke, Burns, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Donaldson, Dougherty, Dunn, Erickson, Foot, Green (Fergus), Hagerty, Harris, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Knight, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nelson, Reed, Rife, Rognlien, Rorvik, Ryder, Sample, Sparling, Steeves, Sutton, Throssel, Thorburn, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—62.

Noes: None.

Absent and not voting: Arnold, Ballard, Barry, Besancon, Bretzke, Bricker, Cavanaugh, Chatham, Dellwo, Doran, Flachsenhar, Fulsher, Goodwin, Green (Dawson), Gustafson, Hardcastle, Hodgskiss, Holton, Jameson, Jones (Cascade), Kelly, Knowles, Kroman, Lamb, Larson, Lowry, Moss, Mulholland, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rockwood, Shields, Stambaugh, Tierney, Troy. Total—40.

The Speaker gave notice that he was about to sign House Bills Nos. 224, 197, 194, 183, 261, 265, 281, 283, 301, 302, 308, 238, 274, 95, 163, Substitute House Bill No. 12, and thereupon signed said bills.

Moved by Bricker, duly seconded and carried, that the House recess, subject to the call of the chair.

House resumed.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Bricker, duly seconded and carried, that the following communications, received from the Senate, be considered read at length and the Journal so show.

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 157 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 90 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 310 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate."

There being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole, for consideration of General Orders, under same rules as previous sitting.

Mr. Nelson in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate amendments to House Bill No. 90; Senate amendments to House Bill No. 157; Senate amendments to House Bill No. 310; Senate amendments to House Bill No. 311; respectfully report as follows: That House Bill No. 90 be concurred in.

That Senate amendments to House Bill No. 157 be not concurred in and request a conference committee.

That Senate amendments to House Bill No. 310 be concurred in.

That consideration of Senate amendments to House Bill No. 311 be passed for the time.

NELSON, Chairman."

On motion of Nelson, report adopted.

There being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 90, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Budas, Burke, Cavanaugh, Chatham, Cheadle,

Clarke, Cooney, Curran, Darlinton, Donaldson, Doran, Dunn, Erickson, Foot, Green (Fergus), Hardcastle, Green (Dawson), Gustafson, Harris, Holton, Jameson, Johnson, Jones (Ravalli), Jones (Cascade), Knight, Knowles, Lamb, Leavens, Lillis, Logan, McLeod, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Sparling, Steeves, Sutton, Throssel, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—73.

Noes: Ballard, Dougherty, Hagerty, Jensen, Kelly, McCleary, Marshall, Mulholland, Thorburn. Total—9.

Absent and not voting: Bretzke, Brown, Burns, Dellwo, Flachsenhar, Fulsher, Goodwin, Hodgskiss, Jones (Phillips), Kroman, Larson, Leavitt, Lowry, Moss, Plumer, Shields, Stambaugh, Tierney, Troy, Clausen. Total—20.

Senate amendments to House Bill No. 310, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Lamb, Leavens, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Sparling, Steeves, Sutton, Thorburn, Throssel, Tinsley, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—83.

Noes: None.

Absent and not voting: Bretzke, Burns, Flachsenhar, Fulsher, Hagerty, Hodgskiss, Johnson, Kroman, Larson, Leavitt, Lowry, Merritt, Moss, Plumer, Shields, Stambaugh, Tierney, Troy, Waite. Total—19.

The Speaker appointed the following conference committee for consideration of Senate amendments to House Bill No. 157: Nelson of Phillips, Arnold of Stillwater, Akofer of Pondera.

Moved by Bricker, duly seconded and carried, that the House recess, subject to the call of the chair.

House resumed.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Bricker, duly seconded and carried, that the following communications received from the Senate, be considered read at length and the Journal so show:

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Substitute for House Bills Nos. 49 and 59 was this day, upon recommendation of Taxation Committee, not concurred in. Report adopted and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 321, was, upon recommendation of Committee on Finance and Claims, not concurred in. Report adopted and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 10 was, upon recommendation of Committee of the Whole, indefinitely postponed for consideration. Report adopted and bill is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and same are herewith returned to the House:

House Bill No. 66; House Bill No. 315; House Bill No. 317; House Bill No. 318.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration Business on General File, report and recommend as follows:

That H. B. No. 66 be concurred in.

That H. B. No. 315 be concurred in.

That H. B. No. 317 be concurred in.

That H. B. No. 318 be concurred in.

That H. J. R. No. 10 be indefinitely postponed.

That H. B. No. 314 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 110 was this day read three several times and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 161 was this day read three several times and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 314 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Finance and Claims amendment:

The words and figures "\$5,000.00" of the original bill be stricken out and the words and figures "\$2000.00" inserted in lieu thereof.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House for a conference committee to consider Senate amendments to House Bill No. 50 was this day granted and the President appointed the following Senators: McCormick, McQuitty, Corrington.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, concurred in House amendments to Senate Bill No. 109.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows:

That H. B. No. 90 be amended by striking out amendments made by the Committee on Finance and Claims, and, as amended, it be concurred in.

That H. B. No. 311 be amended in Section 1 by inserting after the word "the" and before the word "common" in line 2, the words "University of Montana and the".

Amend in Section 2 by inserting in line 2 after the word "the" and before the word "common" the words "University of Montana and the".

Amend in Section 3 by inserting in line 4 after the word "the" and before the word "common" the words "University of Montana and the".

Amend the title by inserting in line 2 of the title after the word "the" and before the word "common" the words "University of Montana and the"; and, as amended, it be concurred in.

That H. B. No. 310 be amended by adding a new section to be known as Section 4 to read as follows:

"Section 4: Appropriations herein above provided for shall be deemed and held valid notwithstanding the provisions of the Budget Act;" and, as amended, it be concurred in.

That H. B. No. 157 be amended in Section 2 by striking out the words and figures "Thirty-six Hundred (\$3600.00)" and inserting in lieu thereof the words and figures "Three Thousand (\$3000.00)".

Amend in Section 10 by striking out in line 10 of the typewritten bill the first three words in line 10 being the words "and on his person".

Amend in Section 10 by striking out in line 12 typewritten bill the words "or person".

Amend in Section 17 by striking out in line 5 the words and figures "15th day of March", and inserting in lieu thereof the words and figures: "15th day of April".

Amend in Section 17 by striking out in line 7, page 23, the word "March" and inserting in lieu thereof the word "April".

Amend in Section 19 by adding in line 22 after the word "warden" the following: "provided, however, that all beaver skins so taken shall be sold at the court house in the county where such beaver skins were taken", and, as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows:

That H. B. No. 161 be amended in Section 1 by striking out in lines 55 and 56 of the printed bill the words and figures "Thirty-nine Thousand Four Hundred Fifty Dollars (\$39,450.00)" and inserting in lieu thereof the words and figures "Forty-one Thousand Four Hundred Fifty Dollars (\$41,450.00)".

Amend in Section 2 by striking out in lines 55 and 56 of page 6 of the printed bill the words and figures "Thirty-nine Thousand Four Hundred Fifty Dollars (\$39,450.00)" and inserting in lieu thereof the words

and figures "Forty-one Thousand Four Hundred Fifty Dollars (\$41,450.00)" and, as amended, it be concurred in.

That H. B. No. 110 be amended by adding the following at the end of line 3, page 4, of the original bill:

"For the payment of salaries and expenses of the Livestock Commission to be paid from the Livestock Commission Fund, so much thereof as may be available.

For the payment of salary of one clerk to the Livestock Commission, to be paid from the bounty fund, \$1800.00.

For the payment of claims to be paid from the bounty fund, so much thereof as may be necessary."

For the payment of estray claims, to be paid from the Estray Fund, so much thereof as may be necessary.

Amend by adding the following at the end of line 10, page 9, of the original bill:

"For the payment of salaries and expenses of the Livestock Commission to be paid from the Livestock Commission Fund, so much thereof as may be available.

For the payment of salary of one clerk to the Livestock Commission, to be paid from the bounty fund, \$1800.00.

For the payment of claims to be paid from the bounty fund, so much thereof as may be necessary.

For the payment of estray claims, to be paid from the estray fund, so much thereof as may be necessary", and, as amended, same be concurred in.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the standing committees have this day reported as follows:

Committee on Finance and Claims report and recommend as follows:

Committee on Finance and Claims amendments:

Amend H. B. No. 307 in Section 1 by striking out all of Section 1 and inserting in lieu thereof the following section, to be known as Section 1:

"Section 1. That the sum of \$5000.00 or so much thereof as may be necessary be and the same is hereby appropriated out of any funds in the State Treasury not otherwise appropriated for the payment of the maintenance and operating expenses of the Veteran's Welfare Commission for the period beginning January 1st, 1927, and ending June 30th, 1927," and, as amended, it be concurred in.

Committee on Finance and Claims amendment to H. B. No. 314:

The words and figures "\$5,000.00" of the original bill be stricken out and the words and figures "\$2000.00" be inserted in lieu thereof, and, as amended, it be concurred in.

Also that H. B. No. 315 be concurred in.

That H. B. No. 66 be concurred in.

That H. B. No. 318 be concurred in.

That H. B. No. 317 be concurred in.

Committee on Taxation report that Sub. for H. B. No. 49 and 59 be not concurred in.

Public Lands Committee report that House Joint Resolution No. 10 be concurred in.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House, asking for a conference committee to confer on Senate amendments to House Bill No. 64 was granted. Thereupon, the President appointed the following Senators: Stewart, Ruffcorn, Bergstrom.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House, asking for a conference committee to confer on Senate amendments to House Bill No. 7 was granted. Thereupon, the President appointed the following Senators: Survant, Swift, Garber.

Respectfully,
J. F. CONE, Secretary of Senate."

Helena, Montana, March 2, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House asking for a conference committee to confer on Senate amendments to House Bill No. 268 was granted. Thereupon, the President appointed the following Senators: Brownlee, Linn, Green.

Respectfully,
J. F. CONE, Secretary of Senate."

The Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 147, 271, 298.
WAITE, Chairman."

The Speaker gave notice that he was about to sign House Bill No. 147, House Bill No. 298, House Bill No. 271, and thereupon signed said bills.

There being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders, under same rules as previous sitting.

Mr. Nelson in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate amendments to House Bill No. 311; Senate amendments to House Bill No. 110; Senate amendments to House Bill No. 161; Senate amendments to House Bill No. 314; respectfully report as follows: That Senate amendments to House Bill No. 311 be passed for the time.

That Senate amendments to House Bill No. 110 be not concurred in, and request a conference committee.

That Senate amendments to House Bill No. 161 be not concurred in, and request a conference committee.

That Senate amendments to House Bill No. 314 be concurred in.

That Senate amendments to House Bill No. 311 be not concurred in, and request a conference committee.

NELSON, Chairman."

On motion of Nelson, report adopted.

The Speaker appointed the following conference committee for consideration of Senate amendments to House Bill No. 161: Green of Dawson, Knowles of Jefferson, Westlake of Gallatin.

The Speaker appointed the following conference committee for consideration of Senate amendments to House Bill No. 311: Dougherty of Ravalli, Donaldson of Chouteau, Plank of Liberty.

The Speaker appointed the following conference committee for consideration of Senate amendments to House Bill No. 110: Reed of Broadwater, Leavens of Yellowstone, Jones of Cascade.

Moved by Bricker, duly seconded and carried, that the House adjourn until 9:30 A. M., March 3rd.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.

SIXTIETH DAY

House of Representatives,
Helena, Montana, March 3, 1927.

House convened, pursuant to adjournment at 9:30 A. M.

Mr. Speaker in the chair.

Prayer by the Chaplain.

On roll call, all members present, except: Bretzke, excused; Lowry, excused.

Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifty-ninth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlinton, report adopted.

REPORTS OF SELECT COMMITTEES

The following report of select committees was received:

"To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee on House Bill No. 268, having had said bill under consideration respectfully recommend that the Senate recedes from all of its amendments to the said bill which includes the following: "and to add a new section to the code to be known as Section 5266A providing for assessments against street railways in said lighting districts." Also by striking out all of the new Section 8.

Respectfully submitted,

In the Senate:

ROBT. BROWNEE.
LINN.
GREEN.

In the House:

CLAUSEN.
PHIL C. GOODWIN.
DUNN.

On roll call, the conference committee report was adopted by the following vote:

Ayes: Abrahamson, Arnold, Benjamin, Benson, Bonine, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Lillis, Logan, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nicholson, Plank, Plumer, Prescott, Rife, Rockwood, Rognien, Rorvik, Sparling, Sutton, Thorburn, Throssel, Tierney, Troy, White, Willard, Mr. Speaker. Total—65.

Noes: None.

Absent and not voting: Adair, Akofer, Ballard, Barry, Besancon, Bretzke, Bricker, Brown, Burns, Dellwo, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Holton, Jones (Phillips), Knowles, Kroman, Leavitt, Lowry, McCleary, Merritt, Moss, Nelstead, O'Day, Reed, Ryder, Sample, Shields, Stambaugh, Steeves, Tinsley, Waite, Warren, Westlake, Woodcock. Total—37.

THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 314, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Benjamin, Benson, Barry, Bonine, Bricker, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Gustafson, Hagerty, Harcastle, Harris, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Lamb, Larson, Lillis, Logan, McLeod, Marshall, Mason, Miller (Fergus), Moulton, Mulholland, Nagle, Nelson, Nicholson, Plank, Plumer, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—68.

Noes: None.

Absent and not voting: Akofer, Arnold, Ballard, Besancon, Bretzke, Brown, Burns, Dellwo, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Holton, Knowles, Kroman, Leavens, Leavitt, Lowry, McCleary, Merritt, Miller (Lincoln), Moss, Murphy, Nelstead, O'Day, Prescott, Reed, Sample, Shields, Stambaugh, Tinsley, Waite, Warren. Total—34.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 5.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and unanimously carried, that the Board of Managers appointed by the House to conduct the prosecution of impeachment of Charles T. Stewart be allowed the per diem and mileage provided for by law for the payment to the members of the legislature for every day that such managers are actively engaged in such prosecution and the work in connection therewith, and that such managers be permitted to use funds as are appropriated for incidental expenses in the impeachment proceedings to prepare the case for the State of Montana, such as the search for evidence etc., and that the State Auditor be authorized and directed to pay such members the mileage and per diem as so stated and draw its warrants thereof and draw his warrant for money to be used in the preparation of the State's case, as aforesaid.

Moved by Bricker, duly seconded, and unanimously carried, that when the House Journals of the Twentieth Legislative Assembly of the State of Montana are printed, that the Secretary of State be instructed to forward one copy to each member, the expense of same to be charged to incidental expenses of the Twentieth Legislative Assembly.

The Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill No. 310.

WAITE, Chairman."

The Speaker gave notice that he was about to sign House Bill No. 310, and thereupon signed the same.

The Printing Committee reported as follows:

"Mr. Speaker: Your Committee on Printing, respectfully report House Bills Nos. 323 and 324 as correctly printed.

COONEY, Chairman."

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moved by Cooney, duly seconded and carried, that the following communications received from the Senate, be considered read at length and the Journal so show:

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 307 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Finance and Claims amendments:

Amend H. B. No. 307 in Section 1 by striking out all of Section 1 and inserting in lieu thereof the following section, to be known as Section 1.

"Section 1. That the sum of \$5000.00 or so much thereof as may be necessary be and the same is hereby appropriated out of any funds in the State Treasury not otherwise appropriated for the payment of the maintenance and operating expenses of the Veteran's Welfare Commission for the period beginning January 1st, 1927, and ending June 30th, 1927", and, as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 324 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Finance and Claims amendments:

Amend at lines 9 and 10 by striking the words and figures "\$4050.00" and inserting in lieu thereof the words and figures "\$4200.00".

Amend at line 15 by striking the words and figures "\$4050.00" and inserting in lieu thereof the words and figures "\$4200.00".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 325 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Finance and Claims amendment:

Amend by striking out all of Section 1 of said bill and inserting in lieu thereof the following, to be known as Section 1.

"Section 1. That the following sums or so much thereof as may be necessary are hereby appropriated out of any funds in the State Treasury not otherwise appropriated for the operation and maintenance of the State Board of Medical Examiners for the period beginning January 1st, 1927, and ending June 30th, 1927."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 326 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Finance and Claims amendment:

Amend by striking out all of Section 1, of said bill, and inserting in lieu thereof the following to be known as Section 1.

"Section 1. That the following sums or so much thereof as may be necessary are hereby appropriated out of any funds in the State Treasury not otherwise appropriated for the operation and maintenance of the Mon-

tana Soldier's Home for the period beginning January 1, 1927, and ending June 30, 1927."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 327 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Finance and Claims amendment:

Amend by striking out all of Section 1 of said bill and inserting in lieu thereof the following to be known as Section 1:

"Section 1. That the following sums or so much thereof as may be necessary are hereby appropriated out of any funds in the State Treasury not otherwise appropriated for the operation and maintenance of the Governor's mansion for the period beginning January 1st, 1927, and ending June 30th, 1927."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 328 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee on Finance and Claims amendments:

Amend by striking out all of Section 1, of said bill and inserting in lieu thereof the following, to be known as Section 1:

"Section 1. That the following sums or so much thereof as may be necessary are hereby appropriated out of any funds in the State Treasury not otherwise appropriated for the operation and maintenance of the State Board of Examiners for the period beginning January 1st, 1927, and ending June 30th, 1927."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and same are herewith returned to the House:

H. B. No. 319; H. B. No. 323; H. B. No. 322;.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House for a conference committee to confer on Senate amendments to House Bill No. 311 was granted and the President appointed the following Senators: Stewart, Survant, Green.

The request of the House for a conference committee to consider Senate amendments to House Bill No. 161 was granted and the President appointed the following Senators: Smith, Kemmis, Delaney.

The request of the House for a conference committee to consider Senate amendments to H. B. No. 110 was granted and the President appointed the following Senators: Dowlin, Sibbert, Wheeler.

The request of the House for a conference committee to consider Senate amendments to H. B. No. 157 was granted and the President appointed the following Senators: Cooper, Pauline, Tower.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following conference committee reports were, on roll call, adopted:

That H. B. No. 196 be concurred in as amended.

That H. B. No. 268 be concurred in as amended.

That Senate Bill No. 131 be concurred in as amended.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following standing committees have this day reported as follows:

Committee on Finance and Claims report that H. B. No. 324 be amended at lines 9 and 10 by striking the words and figures "\$4050.00" and inserting in lieu thereof the words and figures "\$4200.00".

Amend at line 15 by striking the words and figures "\$4050.00" and inserting in lieu thereof the words and figures "\$4200.00", and, as amended, it be concurred in.

Committee on Finance and Claims report that H. B. No. 325 be amended as follows:

By striking out all of Section 1 of said bill and inserting in lieu thereof the following, to be known as Section 1.

"Section 1. That the following sums or so much thereof as may be necessary are hereby appropriated out of any funds in the State Treasury not otherwise appropriated for the operation and maintenance of the State Board of Medical Examiners, for the period beginning January 1st, 1927, and ending June 30th, 1927", and, as amended, it be recommended back to the Senate without recommendation.

Committee on Finance and Claims report that H. B. No. 327 be amended as follows:

By striking out all of Section 1 of said bill and inserting in lieu thereof the following, to be known as Section 1:

"Section 1. That the following sums or so much thereof as may be necessary are hereby appropriated out of any funds in the State Treasury not otherwise appropriated for the operation and maintenance of the Governor's Mansion for the period beginning January 1st, 1927, and ending June 30th, 1927", and, as amended, it be concurred in.

Committee on Finance and Claims report that H. B. No. 326 be amended as follows:

By striking out all of Section 1 of said bill and inserting in lieu thereof the following, to be known as Section 1:

"Section 1. That the following sums or so much thereof as may be necessary are hereby appropriated out of any funds in the State Treasury not otherwise appropriated for the operation and maintenance of the Montana Soldier's Home, for the period beginning January 1, 1927, and ending June 30th, 1927", and, as amended, it be referred back to the Senate without recommendation.

Committee on Finance and Claims report that H. B. No. 328 be amended by striking out all of Section 1 of said bill and inserting in lieu thereof the following, to be known as Section 1:

"Section 1. That the following sums or so much thereof as may be necessary are hereby appropriated out of any funds in the State Treasury not otherwise appropriated for the operation and maintenance of the State Board of Examiners for the period beginning January 1st, 1927, and ending June 30th, 1927", and, as amended, it be referred back to the Senate without recommendation.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Cooney, duly seconded and carried, that the House recess until 1:30 P. M.

AFTERNOON SESSION

House resumed at 1:30 P. M.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The following reports of select committees were received:

“To the Speaker of the House and President of the Senate:

We, your Joint Conference Committee, having had under consideration amendment to Senate Bill No. 126, a Bill for an Act entitled: “An Act creating the State Common School Equalization Fund; making the State Board of Education the Common School Equalization Board; providing for the powers and duties of said board; providing for the method for determining the distribution of such fund, and repealing all Acts and parts of Acts in conflict with this act”, beg leave to report that your Conference Committee cannot agree and ask to be discharged and another committee appointed.

EATON.
H. C. SMITH.
DONOVAN.

Senate.

NICHOLSON.
DELLWO.
HOLTON.

House.

On motion of Cooney, the report was adopted, and the committee excused and the Speaker requested to appoint another committee.

“Mr. Speaker: We, your Conference Committee, in reference to Senate Bill No. 28, beg leave to report that your committee were unable to reach an agreement with a like committee from the Senate as to the House amendments to said bill.

B. F. MOULTON.
SAMPLE.
EDWARD M. LAMB.”

On motion of Cooney, the report was adopted and the committee excused, and the Speaker requested to appoint another committee.

“Mr. Speaker: We, your Joint Conference Committee, having had under consideration House Bill No. 157, introduced by the Committee on Fish and Game, beg leave to report that the Conference Committee unanimously agrees as follows:

That we recommend that the Senate recede from its amendment to Section 19 on page 24 of the engrossed bill providing for the sale of beaver skins at the court house of the county at which said skins are taken, instead of at the office of the State Fish and Game Warden; that the House concurs in the other Senate amendments and committee recommends that this report be adopted.

Respectfully,

NELSON.
AKOFER.
ARNOLD.

House.

COOPER.
PAULINE.
TOWER.

Senate.

On roll call, the conference committee report was adopted by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Fulsher, Gustafson, Hagerty, Hardcastle, Hodgskiss, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Kelly, Knight, Kroman, Lamb, Larson, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Steeves, Sutton, Tierney, Tinsley, Waite, White, Willard, Woodcock, Mr. Speaker. Total—79.

Noes: Holton. Total—1.

Absent and not voting: Bretzke, Bricker, Burns, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Harris, Jones (Cascade), Knowles, Leavens, Lowry, Moss, Murphy, Reed, Sample, Shields, Thorburn, Throssel, Troy, Warren, Westlake. Total—22.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Conference Committee appointed to consider House amendments to Senate Bill No. 28 reported that they could not agree, asked to be discharged, and requested that a new conference committee be appointed to act with a like committee from the House.

Respectfully.

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Conference Committee, appointed to confer with a like committee from the House to consider House amendments to Senate Bill No. 126, reported that they could not agree and asked to be discharged. Thereupon, the President appointed a new committee consisting of Senators: Swift, Taylor, Bergstrom to act with a like committee from the House for further consideration of said amendments.

Respectfully.

J. F. CONE, Secretary of Senate."

Moved by Cooney, duly seconded and carried, that the Speaker appoint new conference committees from the House to act with like committees from the Senate for consideration of House amendments to Senate Bills Nos. 28 and 126, respectively.

Moved by Cooney, duly seconded and carried, that the following communications from the Senate be considered read at length and the Journal so show:

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims have this day reported and recommended that H. B. No. 304 be amended and concurred in as amended. Report adopted.

Committee on Finance and Claims amendments:

That H. B. No. 304 be amended by inserting the following between lines 16 and 17, at page 1, of the original bill:

"For poultry and apiary demonstration and experimental work at the agricultural experiment station, at the home station, Bozeman, \$5,000.00".

"For irrigation and experimental demonstrations, to be conducted in the Milk River Valley and contiguous irrigation projects, \$6,000.00".

That said bill be further amended, by inserting between lines 22 and 23, at page 2, the following:

"For poultry and apiary demonstrations and experimental work at the agricultural experiment station, at the home station, Bozeman, \$5,000.00".

"For irrigation and experimental demonstrations, to be conducted in the Milk River Valley and contiguous irrigation projects, \$6,000.00".

That said bill be further amended by striking out the words and figures at lines 2, 3, 4 and 5, page 2, of said bill and inserting the following:

"For the construction, alteration and repair of buildings for use and to be used by the Northern Montana Agricultural and Manual Training School, which said buildings are to be constructed and improvements made on the site to be furnished the State of Montana by the City of Havre, and approved by the Executive Board of the aforesaid school, \$35,000.00".

And that said bill be further amended by striking out the words and figures at lines 8, 9, 10 and 11, page 3, and inserting in lieu thereof the following:

"For repairs, furnishings and equipment at the Northern Montana Agricultural and Manual Training School, \$35,000.00".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the standing committees have this day reported as follows:

Finance and Claims Committee report as follows:

That H. B. No. 205 be not concurred in.

That H. B. No. 322 be concurred in.

That H. B. No. 323 be concurred in.

That H. B. No. 319 be concurred in.

Committee on Education report:

That H. B. No. 136 be not concurred in.

Committee on Finance and Claims report:

That H. B. No. 88 be amended in line 1, page 3, by striking out the words and figures "\$2100.00" and inserting in lieu thereof the words and figures "\$2400.00", and, as amended, it be concurred in.

Also that H. B. No. 320 be concurred in.

Also that H. B. No. 162 be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following conference committee reports were this day adopted:

Conference Committee report on H. B. No. 161.

Conference Committee report on H. B. No. 304.

Respectfully,

J. F. CONE, Secretary of Senate."

The Speaker appointed the following conference committee for consideration of House amendments to Senate Bill No. 28: Johnson of Valley, Clarke of Rosebud, Lamb of Silver Bow.

The Speaker appointed the following conference committee for consideration of House amendments to Senate Bill No. 126: Sparling of Daniels, Nicholson of Sweet Grass, Dellwo of Lake.

There being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Cooney, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders.

Mr. Miller of Fergus in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration, Senate amendments to House Bill No. 307, Senate amendments to House Bill No. 324, Senate amendments to House Bill No. 325, Senate amendments to House Bill No. 326, Senate amendments to House Bill No. 327, Senate amendments to House Bill No. 328, respectfully report as follows:

That Senate amendments to House Bill No. 307 be concurred in.

That Senate amendments to House Bill No. 324 be concurred in.

That Senate amendments to House Bill No. 325 be concurred in.

That Senate amendments to House Bill No. 326 be concurred in.

That Senate amendments to House Bill No. 327 be concurred in.

That Senate amendments to House Bill No. 328 be concurred in.

MILLER of Fergus, Chairman.

On motion of Miller of Fergus, report adopted.

There being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 307, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Fulsher, Goodwin, Green (Fergus), Gustafson Hagerty, Harris, Hodgskiss, Holton, Jameson, Jensen, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, Logan, McCleary, Marshall, Mason, Miller (Fergus), Miller Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Warren, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: None.

Absent and not voting: Bretzke, Burns, Flachsenhar, Green (Dawson), Hardcastle, Johnson, Leavitt, Lowry, McLeod, Merritt, Moss, Nelson, Reed, Sample, Shields, Troy, Waite, Westlake. Total—18.

THIRD READING OF HOUSE BILLS

Senate amendments to House Bill No. 324, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Dellwo, Doran, Dunn, Erickson, Foot, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Hardcastle, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Warren, White, Willard, Woodcock, Mr. Speaker. Total—77.

Noes: None.

Absent and not voting: Bonine, Bretzke, Burns, Darlington, Donaldson, Dougherty, Flachsenhar, Gustafson, Hagerty, Harris, Hodgskiss, Holton,

Jones (Phillips), Knowles, Leavitt, Lowry, Moss, Nagle, Nelson, Reed, Ryder, Sample, Troy, Waite, Westlake. Total—25.

Senate amendments to House Bill No. 325, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Brown, Budas, Burke, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Doran, Dougherty, Dunn, Erickson, Foot, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Harcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, White, Willard, Woodcock, Mr. Speaker. Total—84.

Noes: Cavanaugh. Total—1.

Absent and not voting: Bonine, Bretzke, Bricker, Burns, Donaldson, Flachsenhar, Green (Dawson), Leavitt, Logan, Lowry, Moss, Nagle, Reed, Rockwood, Sample, Shields, Westlake. Total—17.

Senate amendments to House Bill No. 326, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Budas, Burke, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Doran, Dunn, Foot, Fulsher, Goodwin, Green (Fergus), Gustafson, Hagerty, Harcastle, Harris, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Kroman, Lamb, Larson, Leavens, Lillis, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Ryder, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, White, Willard, Woodcock, Mr. Speaker. Total—81.

Noes: None.

Absent and not voting: Bonine, Bretzke, Bricker, Brown, Burns, Cavanaugh, Donaldson, Dougherty, Erickson, Flachsenhar, Green (Dawson), Hodgskiss, Knowles, Leavitt, Logan, Lowry, Moss, Moulton, Reed, Waite, Westlake. Total—21.

Senate amendments to House Bill No. 327, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Brown, Budas, Burke, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Doran, Dunn, Erickson, Foot, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, White, Willard, Woodcock, Mr. Speaker. Total—82.

Noes: None.

Absent and not voting: Barry, Besancon, Bonine, Bretzke, Bricker, Burns, Cavanaugh, Donaldson, Dougherty, Flachsenhar, Leavitt, Lowry, Moss, Reed, Ryder, Sample, Shields, Sparling, Waite, Westlake. Total—20.

Senate amendments to House Bill No. 328, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Besancon, Brown, Budas, Chatham, Cheadle, Clarke, Clausen, Cooney,

Curran, Darlinton, Burke, Dellwo, Doran, Dougherty, Dunn, Erickson, Foot, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Murphy, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Throssel, Tierney, Tinsley, Troy, Warren, White, Willard, Woodcock, Mr. Speaker. Total—79.

Noes: None.

Absent and not voting: Barry, Bonine, Bricker, Bretzke, Burns, Cavanaugh, Donaldson, Flachsenhar, Gustafson, Hagerty, Jones (Phillips), Jones (Ravalli), Leavitt Lowry, Moss, Mulholland, Nagle, Reed, Ryder, Shields, Thorburn, Waite, Westlake. Total—23.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Senate:

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Conference Committee appointed to consider Senate amendments to House Bill No. 50 reported that they could not agree, asked to be discharged, and requested that a new conference committee be appointed to act with a like committee from the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Cooney, duly seconded and carried, that the Speaker appoint such a Conference Committee.

Moved by Cooney, duly seconded and carried, that the following communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 88 was this day read three several times and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments:

Committee on Finance and Claims amendment:

Amend in line 1, page 3, by striking out the words and figures "\$2100.00", and inserting in lieu thereof the words and figures "\$2400.00".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were, upon recommendation of Standing Committees, not concurred in, and bills are herewith returned to the House.

Finance and Claims Committee—H. B. No. 205.

Education Committee—H. B. No. 136.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day read three several times and concurred in, title agreed to, and are herewith returned to the House.

House Bill No. 320 and House Bill No. 162.

Respectfully,

J. F. CONE, Secretary of Senate."

The Speaker appointed the following conference committee from the House to act with a like committee from the Senate for consideration of Senate amendments to House Bill No. 50: Waite of Powder River, Budas of Carbon, Ballard of Silver Bow.

There being no objections, House reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The following report of select committees was received:

We, your Joint Conference Committee for the consideration of Senate amendments to House Bill No. 311, beg leave to report as follows:

Senate recede from the amendment to the title in line 2, inserting the words, "University of Montana and the".

In Section 1, line 2, inserting the words, "University of Montana and the".

In Section 2, line 2, inserting the words, "University of Montana and the"; also in Section 2, line 2, striking out the word "employ".

In Section 3, in lines 4 and 6, striking out the words "salaries and", and in Section 3, line 4, inserting the words, "University of Montana and the";

And that the House concur in Senate amendments to Section 1, line 2, striking out the word "financial", Section 2, line 2, striking out the word "financial", Section 3, line 5, striking out the word "financial", and that the House concur in the amendment inserted in line 4 of Section 2, after the word "Act.", "and to request from the Federal Government the Sage or Rockefeller Foundation the loan of an expert or experts to make the survey."

House Committee:

DOUGHERTY.
DONALDSON.
PLANK.

Senate Committee:

STEWART.
SURVANT.
GREEN."

On roll call, the conference committee report was adopted by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlinton, Dellwo, Doran, Dougherty, Dunn, Erickson, Foot, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Hagerty, Hardcastle, Harris, Hodgskiss, Jameson, Jensen, Jones (Cascade), Knight, Knowles, Kroman, Lamb, Larson, Leavens, Lillis, Logan, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Prescott, Rife, Rockwood, Rognlien, Ryder, Sample, Sparling, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Warren, White, Willard, Woodcock, Mr. Speaker. Total—80.

Noes: Plumer. Total—1.

Absent and not voting: Bretzke, Burns, Donaldson, Flachsenhar, Gustafson, Holton, Johnson, Jones (Phillips), Jones (Ravalli), Kelly, Leavitt, Lowry, McLeod, Moss, Nelson, Reed, Rorvik, Shields, Stambaugh, Waite, Westlake. Total—21.

Moved by Bricker, duly seconded and carried, that the House recess, subject to the call of the chair.

House resumed.

Mr. Speaker in the chair.

Committee on Enrolling reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: 315, 226, 312, 318, 242, 219, 69, 208, 254, 309, 196, 87.

MERRITT, Vice-Chairman."

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communication was received from the Senate:

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion made and seconded the Senate requests the recall of House Bill No. 205 for further consideration.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Bricker, duly seconded and carried, that the request of the Senate be granted.

Committee on Printing reported as follows:

"Mr. Speaker: Your Committee on Printing respectfully report House Bills Nos. 325, 326, 327, 328 as correctly printed.

COONEY, Chairman."

The Speaker gave notice that he was about to sign House Bill No. 87, House Bill No. 196, House Bill No. 309, House Bill No. 254, House Bill No. 208, House Bill No. 69, House Bill No. 219, House Bill No. 242, House Bill No. 318, House Bill No. 312, House Bill No. 226, House Bill No. 315, and thereupon signed said bills.

At the request of Bricker, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

The following Articles of Impeachment against Charles T. Stewart, Secretary of State of the State of Montana, were at this time read at length:

ARTICLES OF IMPEACHMENT

"Exhibited by the House of Representatives of the Twentieth Legislative Assembly of the State of Montana, by the Board of Managers thereof, on behalf of the State of Montana, against Charles T. Stewart, Secretary of State of the State of Montana.

ARTICLE I

That Charles T. Stewart is now, and at all times since the first Monday of January, 1927, has been, the duly elected, qualified and acting Secretary of State of the State of Montana; that the said Charles T. Stewart being and occupying the official position of Secretary of State of the State of Montana, unmindful of the high duties of his office and the dignities and proprieties thereof, and unmindful of his oath of office in connection with his duties as Secretary of State of the State of Montana, and in utter disregard of his said oath and duties as Secretary of State, and in utter disregard of his duties imposed upon him as such official, and in violation of the Constitution and Statutes of the State of Montana, was and has been and is guilty of high crimes and misdemeanors and malfeasance in office committed in the manner and as is set forth in the several Specifications herein in substance and effect, ie.,

Specification No. 1. That the Eighteenth Legislative Assembly of the State of Montana, by virtue of Chapter 97 of the Session Laws thereof, provided for the submission to the qualified electors of the State of Montana of an amendment to Section 10, Article 9 of the Constitution of the State of Montana. That under and by virtue of Section 9 of Article 19 of the Constitution, provides that the Secretary of State shall cause the said

amendment to be published in full in at least one newspaper in each County for three (3) months previous to the next general election for members to the Legislative Assembly; that the said Charles T. Stewart as Secretary of State as aforesaid, wrongfully, contrary and in violation of the provisions of the Constitution of the State of Montana, caused said publication of said proposed amendment to said Section 10 of Article 9 of the Constitution as aforesaid, to be made in newspapers published and circulated in various counties of the State for periods of time less than that provided for by the Constitution, said publications which were so published for less than the required time as aforesaid were published in newspapers and for periods of time as follows:

In the Daniels County Leader, published and circulated in Daniels County, Montana, the first publication thereof being had on August 12, 1924.

In the Winifred Times, published and circulated in Fergus County, Montana, the first publication thereof being had on September 20, 1924.

In the Choteau Acantha, published and circulated in Teton County, Montana, the first publication thereof being had on September 2, 1924.

In the Sunburst Sun, published and circulated in Toole County, Montana, the first publication thereof being had on August 20, 1924.

In the Nashua Independent, published and circulated in Valley County, Montana, the first publication thereof being had on August 20, 1924.

In the Glasgow Democrat, published and circulated in Valley County, Montana, the first publication thereof being had on August 12, 1924.

In the Hinsdale Tribune, published and circulated in Valley County, Montana, the first publication thereof being had on August 12, 1924.

That in order to publish said proposed amendment in accordance with the provisions of the Constitution, the first publication thereof could not have been later than August 4, 1924; that the proposed amendment was published in each of the above newspapers for a period of time less than that provided by the Constitution, and by reason thereof such publications were and are useless, unwarranted and an illegal publication, and that by reason thereof there was thereby incurred an useless, unwarranted and illegal claim against the State of Montana, and in the payment of which there was incurred an unwarranted, illegal and wasteful expenditure of funds of the State, all of which is contrary to the Constitution of the State of Montana, and a direct violation of the oath of office and of the duties imposed by law upon the said Charles T. Stewart as Secretary of State of the State of Montana.

Specification No. 2. That the Eighteenth Legislative Assembly of the State of Montana, by virtue of Chapter 134 of the Session Laws thereof, provided, for the submission to the qualified electors of the State of Montana of an amendment to be known and designated as Article 21 of the Constitution of the State of Montana. That under and by virtue of Section 9 of Article 19 of the Constitution, the Secretary of State shall cause the said amendment to be published in full in at least one newspaper in each county for three (3) months previous to the next general election for members to the Legislative Assembly; that the said Charles T. Stewart as Secretary of State as aforesaid, wrongfully, contrary, and in violation of the provisions of the Constitution, caused said publication of said proposed amendment of the Constitution as aforesaid, to be made in newspapers published and circulated in various counties of the State for periods of time less than that provided for by the Constitution, said publications which were so published for less than the required time as aforesaid, were published in newspapers and for periods of time as follows:

Belt Valley Times, published and circulated in Cascade County, Montana, first publication thereof being had on September 18, 1924.

Daniels County Leader, published and circulated in Daniels County, Montana, first publication commencing on August 12, 1924.

Scobey Sentinel, published and circulated in Daniels County, Montana, first publication commencing on August 4, 1924, and ending on September 4, 1924.

Winifred Times, published and circulated in Fergus County, Montana, first publication commencing on September 20, 1924.

Grass Range Review, published and circulated in Fergus County, Montana, first publication commencing on August 10, 1924.

Three Forks News, published and circulated in Gallatin County, Montana, first publication commencing August 12, 1924.

Ringling Independent, published and circulated in Meagher County, Montana, first publication commencing August 12, 1924.

Medicine Lake Wave, published and circulated in Sheridan County, Montana, first publication commencing August 12, 1924.

Choteau Acantha, published and circulated in Teton County, Montana, first publication commencing September 2, 1924.

Sunburst Sun, published and circulated in Toole County, Montana, first publication being had on August 20, 1924.

Nashua Independent, published and circulated in Valley County, Montana, first publication being had on August 20, 1924.

Glasgow Democrat, published and circulated in Valley County, Montana, first publication being had on August 20, 1924.

That in order to publish said proposed amendment in accordance with the provisions of the Constitution, the first publication thereof could not have been later than August 4, 1924; that the proposed amendment was published in each of the above newspapers for a period of time less than that provided by the Constitution, and by reason thereof such publications were and are useless, unwarranted and an illegal publication, and by reason thereof there was thereby incurred an useless, unwarranted and illegal claim against the State of Montana, and in the payment of which there was incurred an unwarranted, illegal and wasteful expenditure of funds of the State, all of which is contrary to the Constitution of the State of Montana and a direct violation of the oath of office and of the duties imposed by law upon the said Charles T. Stewart as Secretary of State of the State of Montana.

Specification No. 3. That the Eighteenth Legislative Assembly of the State of Montana, by virtue of Chapter 137 of the Session Laws thereof, provided for the submission to the qualified electors of the State of Montana of an amendment to be known and designated as Article 22 of the Constitution of the State of Montana. That under and by virtue of Section 9 of Article 19 of the Constitution, the Secretary of State shall cause the said amendment to be published in full in at least one newspaper in each county for three (3) months previous to the next general election for members to the Legislative Assembly; that the said Charles T. Stewart as Secretary of State as aforesaid, wrongfully, contrary and in violation of the provisions of the Constitution of the State of Montana, caused said publication of said proposed amendment to be made in newspapers published and circulated in various counties of the State for periods of time less than that provided for by the Constitution, said publications which were so published for less than the required time as aforesaid were published in newspapers and for period of time as follows:

The News, published and circulated in Beaverhead County, Montana, first publication commencing August 12, 1924.

Belt Valley Times, published and circulated in Cascade County, Montana, first publication commencing September 18, 1924.

Chouteau County Independent, published and circulated in Chouteau County, Montana,, first publication commencing August 12, 1924.

Daniels County Leader, published and circulated in Daniels County, Montana, first publication commencing August 12, 1924.

Scobey Sentinel, published and circulated in Daniels County, Montana,

first publication commencing August 4, 1924, and ending September 12, 1924.

Richey Pilot, published and circulated in Dawson County, Montana, first publication commencing August 12, 1924.

Moore Independent, published and circulated in Fergus County, Montana, first publication commencing August 12, 1924.

Winifred Times, published and circulated in Fergus County, Montana, first publication commencing September 20, 1924.

Columbia Falls Columbian, published and circulated in Flathead County, Montana, first publication commencing August 21, 1924.

Gildford Tribune, published and circulated in Hill County, Montana, first publication commencing August 12, 1924.

Laredo Tribune, published and circulated in Hill County, Montana, first publication commencing August 12, 1924.

Ringling Independent, published and circulated in Meagher County, Montana, first publication commencing August 12, 1924.

Winnett Times, published and circulated in Petroleum County, Montana, first publication commencing August 12, 1924.

Valier Valerian, published and circulated in Pondera County, Montana, first publication commencing August 12, 1924.

Redstone Review, published and circulated in Sheridan County, Montana, first publication commencing August 12, 1924.

Medicine Lake Wave, published and circulated in Sheridan County, Montana, first publication commencing August 12, 1924.

Dutton Sentinel, published and circulated in Teton County, Montana, first publication commencing August 12, 1924.

Chouteau Acantha, published and circulated in Teton County, Montana, first publication commencing September 2, 1924.

Sunburst Sun, published and circulated in Toole County, Montana, first publication commencing August 20, 1924.

Glasgow Democrat, published and circulated in Valley County, Montana, first publication commencing August 12, 1924.

Hinsdale Tribune, published and circulated in Valley County, Montana, first publication commencing August 12, 1924.

The Yellowstone, published and circulated in Yellowstone County, Montana, first publication commencing August 12, 1924.

Box Elder Press, published and circulated in Hill County, Montana, first publication commencing August 12, 1924.

Laurel Outlook, published and circulated in Yellowstone County, Montana, first publication commencing August 12, 1924.

That in order to publish said proposed amendment in accordance with the provisions of the Constitution, the first publication thereof could not have been later than August 4, 1924; that the proposed amendment was published in each of the above newspapers for a period of time less than that provided by the Constitution, and by reason thereof such publications were and are useless, unwarranted and an illegal publication, and by reason thereof there was thereby incurred an useless, unwarranted and illegal claim against the State of Montana, and in the payment of which there was incurred an unwarranted, illegal and wasteful expenditure of funds of the State, all of which is contrary to the Constitution of the State of Montana and a direct violation of the oath of office and of the duties imposed by law upon the said Charles T. Stewart as Secretary of State of the State of Montana.

Specification No. 4. That claims for each and all of the foregoing publications have been duly presented to the State of Montana, and that each of said claims have been duly approved by the said Charles T. Stewart as Secretary of State, and each one of them has been paid; that the aggregate total of said claims amount to several thousands of dollars, but

that each of said claims was an illegal claim, and the payment thereof was an unwarranted and unlawful expenditure of the funds of the State.

ARTICLE II

That Charles T. Stewart is now, and at all times since the first Monday of January, 1917, has been the duly elected, qualified and acting Secretary of State of the State of Montana; that the said Charles T. Stewart, being and occupying the official position of Secretary of State of the State of Montana, unmindful of the high duties of his office and the dignities and proprieties thereof, and unmindful of his oath of office in connection with his duties of Secretary of State of the State of Montana, and in utter disregard of his said oath and duties of Secretary of State, and in utter disregard of his duties imposed upon him as such official, and in violation of the Constitution and statutes of the State of Montana, was, and has been and is, guilty of high crimes, and misdemeanors and malfeasance in office, committed in the manner and as is set forth in the several specifications herein written in substance and effect, that is to say:

Specification No. 1. That ever since some time prior to January 16th, 1922, W. M. Biggs & Company, has been and now is a corporation, duly incorporated under the laws of the State of Montana; that of the capital stock of said W. M. Biggs and Company, ten thousand (10,000) shares thereof of the par value of One Dollar (\$1.00) each have been actually issued, and ever since on or about the 16th day of January, 1922, the said Charles T. Stewart has been and now is the record owner of nine thousand nine hundred and ninety-eight (9,998) shares of the capital stock so issued as aforesaid; that ever since the 16th day of January, 1922, and for some time prior thereto, the said W. M. Biggs & Company has been among other things, engaged in the insurance business in Helena, Montana, and during all of the said times has been and now is the local agent for several and different fire insurance companies; that the said Charles T. Stewart is now and was at all times mentioned herein, a member, ex-officio, of the State Board of Examiners of the State of Montana; that the said W. M. Biggs & Company, a corporation, as an agent for The Royal Insurance Company, did on or about June 28th, 1923, write an insurance policy covering certain property of the State of Montana and received therefor a premium of One Hundred Eighteen Dollars (\$118.00); that the said W. M. Biggs & Company received a commission from said premium and profited by reason of the writing of said policy; that the writing and issuance of the said policy was authorized by and the claim for the said premium approved by the State Board of Examiners of the State of Montana, all of which was and is in direct violation of Section 444 of the Revised Codes of the State of Montana of 1921, and in direct violation of the oath of office of the said Charles T. Stewart.

Specification No. 2. That ever since some time prior to January 16th, 1922, W. M. Biggs & Company, has been and now is a corporation duly incorporated under the laws of the State of Montana; that of the capital stock of said W. M. Biggs & Company, ten thousand (10,000) shares thereof of the par value of One Dollar (\$1.00) each have been actually issued, and ever since on or about the 16th day of January, 1922, the said Charles T. Stewart has been and now is the record owner of nine thousand nine hundred and ninety-eight (9,998) shares of the capital stock so issued as aforesaid; that ever since the 16th day of January, 1922, and for some time prior thereto, the said W. M. Biggs & Company has been among other things, engaged in the insurance business in Helena, Montana, and during all of the said times has been and now is the local agent for several and different fire insurance companies; that the said Charles T. Stewart is now and was at all times mentioned herein, a member, ex-officio, of the State Board of Examiners of the State of Montana; that the said Charles T. Stewart was interested in and profited by said contracts entered into by the said W. M. Biggs & Company, a corporation, in writing insurance policies on said state property, said policies being more particularly described by numbers and dates as follows:

One policy issued August 31st, 1923, number 413101, of The Royal Insurance Company;

One policy date August 31st, 1923, number 399025, of The Royal Insurance Company;

One policy dated August 31st, 1923, number 399024, of The Royal Insurance Company;

One policy dated August 31st, 1923, number 399023, of the Royal Insurance Company;

That the premiums paid by the State of Montana for said policies were as follows: Two Hundred Thirty-seven Dollars and Sixty Cents (\$237.60); One Thousand Thirty-five Dollars and Eighty-eight Cents (\$1035.88); One Hundred Forty-eight Dollars and Fifty Cents (\$148.50); Three Hundred Seventy-eight Dollars and Sixty Cents (\$378.60) respectively; that the said policies were purported to have been written by one said W. M. Biggs; that the said policies were presented by and allowed to said W. M. Biggs by the State Board of Examiners of the State of Montana; that said W. M. Biggs did not in fact receive and did not in fact profit by receiving the commissions on the said premium of said policies, but that the said commissions were in fact received by the said W. M. Biggs & Company, a corporation; that the said Charles T. Stewart profited directly thereby, all of which was in violation of the provisions of Section 444 of the Revised Codes of Montana of 1921 and in direct violation of his oath of office.

Specification No. 3. That ever since some time prior to January 16th, 1922, W. M. Biggs & Company, has been and now is a corporation duly incorporated under the laws of the State of Montana; that of the capital stock of said W. M. Biggs & Company, ten thousand (10,000) shares thereof of the par value of One Dollar (\$1.00) each have been actually issued, and ever since on or about the 16th day of January, 1922, the said Charles T. Stewart has been and now is the record owner of nine thousand nine hundred and ninety-eight (9,998) shares of the capital stock so issued as aforesaid; that ever since the 16th day of January, 1922, and for some time prior thereto, the said W. M. Biggs & Company has been among other things, engaged in the insurance business in Helena, Montana, and during all of the said times has been and now is the local agent for several and different fire insurance companies; that the said Charles T. Stewart is now and was at all times mentioned herein a member, ex-officio, of the State Board of Examiners of the State of Montana; that the said Charles T. Stewart was interested in and profited by certain contracts entered into by the said W. M. Biggs & Company, a corporation, in writing certain fire insurance policies on certain State property, said policies being more particularly described as follows:

One policy dated August 31st, 1923, number 410951 of the Royal Insurance Company, premium Three Hundred Seventy-four Dollars and Seventy-four Cents (\$374.74);

One policy dated August 31st, 1923, number 410952 of the Royal Insurance Company, premium Two Hundred Seventy-seven Dollars and Sixty-four Cents (\$277.64);

One policy dated September 1st, 1923, number 59853 of the Newark Fire Insurance Company, premium Six Hundred Nine Dollars and Seventy Cents (\$609.70);

One policy dated August 31st, 1923, number 410953 of the Royal Insurance Company, premium Five Hundred Sixty-five Dollars and Two Cents (\$565.02);

One policy dated August 31st, 1923, number 232102, of the North America Insurance Company, premium Nine Hundred Ninety-one Dollars and Eighty Cents (\$991.80);

One policy dated August 31st, 1923, number 232101 of the North America Insurance Company, premium Five Hundred Sixty-seven Dollars and Ninety Cents (\$567.90);

One policy dated August 31st, 1923, number 42502 of the North British & Mercantile Insurance Company, Limited, premium Five Hundred Sixty-seven Dollars and Ninety Cents (\$567.90);

That the said policies purport to have been written by certain special agents of insurance companies, among said special agents being the following individuals: Tom E. Atherstone, M. S. Williams and H. G. Burton; that the said special agents were special agents for certain insurance companies for which the said W. M. Biggs & Company was the local agent at Helena, Montana; that it was at all times mentioned herein, contrary to the rules, customs and usages of all insurance companies and of the Board of Underwriters of the Pacific, to allow special agents to write fire insurance policies or to receive any commissions or other remuneration for writing the same; that the claims for the premiums on the said policies were made by the several said special agents and were approved and allowed by the State Board of Examiners of the State of Montana; that the said special agents received State warrants for their respective claims but that the said special agents or any of them, did not in fact receive the commission on said policies but that the said commissions were in fact received by the said W. M. Biggs & Company, which profited directly thereby, all of which was in violation of Section 444 of the Revised Codes of Montana of 1921 and of the oath of office of the said Charles T. Stewart.

Specification No. 4. That ever since some time prior to January 16th, 1922, W. M. Biggs & Company, has been and now is a corporation duly incorporated under the laws of the State of Montana; that of the capital stock of said W. M. Biggs & Company, ten thousand (10,000) shares thereof of the par value of One Dollar (\$1.00) each have been actually issued, and ever since on or about the 16th day of January, 1922, the said Charles T. Stewart has been and now is the record owner of nine thousand nine hundred and ninety-eight (9,998) shares of the capital stock so issued as aforesaid; that ever since the 16th day of January, 1922, and for some time prior thereto, the said W. M. Biggs & Company has been among other things, engaged in the insurance business in Helena, Montana, and during all of the said times has been and now is the local agent for several and different fire insurance companies; that the said Charles T. Stewart is now and was at all times mentioned herein, a member, ex-officio, of the State Board of Examiners of the State of Montana; that other policies have been written, at various and diverse times during and including the years 1923, 1924, 1925, and 1926, by the said W. M. Biggs & Company, a corporation, on certain property of the State of Montana, the description of said policies being at this time unknown; that the said W. M. Biggs & Company has received for said insurance policies a valuable consideration from the State of Montana, all of which was and is in violation of the provisions of Section 444 of the Revised Codes of the State of Montana of 1921, and of the oath of office of the said Charles T. Stewart.

Specification No. 5. That ever since some time prior to January 16th, 1922, W. M. Biggs & Company, has been and now is a corporation duly incorporated under the laws of the State of Montana; that of the capital stock of said W. M. Biggs & Company, ten thousand (10,000) shares thereof of the par value of One Dollar (\$1.00) each have been actually issued, and ever since on or about the 16th day of January, 1922, the said Charles T. Stewart has been and now is the record owner of nine thousand nine hundred and ninety-eight (9,998) shares of the capital stock so issued as aforesaid; that ever since the 16th day of January, 1922, and for some time prior thereto, the said W. M. Biggs & Company has been among other things, engaged in the insurance business in Helena, Montana, and during all of the said times has been and now is the local agent for several and different fire insurance companies; that the said Charles T. Stewart is now and was at all times mentioned herein a member, ex-officio, of the State Board of Examiners of the State of Montana; that one L. C. Henry was during 1923, a local agent for certain insurance companies at Helena, Montana; that the said L. C. Henry being desirous of writing a policy or policies on State property did some time during 1923 ask the assistance

of one certain W. M. Biggs in securing a policy or policies on State property; that the said W. M. Biggs informed the said L. C. Henry that such a policy or policies might be secured by "brokering" it through the W. M. Biggs & Company, a corporation; that thereafter, during 1923, the said L. C. Henry, was awarded certain insurance on property of the State of Montana, the commission on the premium of the policy covering said property amounting to approximately Two Hundred Sixty-one Dollars (\$261.00); that the claim for the premium on said policy was presented by the said L. C. Henry to the State Board of Examiners of the State of Montana and approved by them; that thereafter, the said Charles T. Stewart demanded of the said L. C. Henry and the said L. C. Henry paid to the said Charles T. Stewart, the sum of One Hundred Thirty Dollars (\$130.00), as representing the share of said commission belonging to the said Charles T. Stewart, all of which was in direct violation of Section 444 of the Revised Codes of the State of Montana, of 1921, and in direct violation of the oath of office of the said Charles T. Stewart.

ARTICLE III

That the said Charles T. Stewart is now and at all times since the first Monday of January, 1917, has been the duly elected, qualified and acting Secretary of State of the State of Montana; that the said Charles T. Stewart being and occupying the official position of Secretary of State of the State of Montana, unmindful of the high duties of his office and the dignities and proprieties thereof, and unmindful of his oath of office, in connection with his duties as Secretary of State, and in utter disregard of his said oath and duties as Secretary of State, and in violation of the Constitution of the State of Montana, was and has been and is guilty of high crimes and misdemeanors and malfeasance in office, committed in a manner and as is hereafter set forth, that is to say:

That the Seventeenth Legislative Assembly of the State of Montana, in extraordinary session convened, did by virtue of Chapter 11 of the Session Laws of said extraordinary session propose an amendment to Article 12 of the Constitution of the State of Montana; that under and by virtue of Section 9 of Article 19, of the State Constitution, it is provided that the Secretary of State shall cause any proposed amendments to be published in full in at least one newspaper in each county for three months previous to the next general election for members to the Legislative Assembly; that at all times mentioned herein there was in the County of Sweet Grass, State of Montana at least one newspaper of general circulation printed, published and circulated in said county; that the said Charles T. Stewart, as Secretary of State aforesaid, wrongfully failed and neglected, in violation of the provisions of the Constitution of the State of Montana, to cause to be published in any newspaper in the said county of Sweet Grass, the proposed constitutional amendment as provided for in said Chapter 11 aforesaid, all of which gave rise to the question of the legality of the existence of the State Board of Equalization and thereby placed in jeopardy the legal existence of said Board intended to be created by said amendment.

ARTICLE IV

That the said Charles T. Stewart is now and all times since the first Monday of January, 1917, has been the duly elected, qualified and acting Secretary of State of the State of Montana; that the said Charles T. Stewart, being and occupying the official position of Secretary of State of the State of Montana, unmindful of the high duties of his office and the dignities and proprieties thereof and unmindful of his oath of office in connection with his duties as Secretary of State of the State of Montana and in utter disregard of his said oath and duties as Secretary of State and in utter disregard of the duties imposed upon him as such official and in violation of the Constitution and Statutes of the State of Montana, was and has been and is guilty of high crimes and misdemeanors and malfeasance in office committed in the manner and as is hereinafter set forth, that is to say:

That the Eighteenth Legislative Assembly of the State of Montana, under and by virtue of Chapters 97, 134 and 137, provided for the submission to the qualified electors of the State of Montana of certain amendments to the state constitution; that in the publication of said proposed amendments, the said Charles T. Stewart, contrary to and in violation of the provisions of the Constitution of the State of Montana, wrongfully and unlawfully caused the same to be published in the year of 1924 in newspapers published and circulated in various counties of the State of Montana, for periods less than that required by the Constitution of the State of Montana; that the said Charles T. Stewart, as Secretary of State, approved as legal, valid and subsisting claims against the State of Montana, aggregating in all the sum of \$9017.25 dollars; that said Charles T. Stewart, as Secretary of State, well knew or should have known at the time that he approved said claims, that the same were illegal and invalid as against the State of Montana and that the same should not have been approved; that the following constitutes a list of said claims as approved by the said Charles T. Stewart, as Secretary of State:

One claim of The Yellowstone by J. E. Patten, publisher, for the sum of \$273.00;

One claim of The Winifred Times by Edward C. Wildung, publisher, for the sum of \$240.00;

One claim of the Dutton Sentinel by W. R. Lathrop, publisher, for the sum of \$259.00;

One claim of The Three Forks News by W. E. Ballard, publisher, for the sum of \$180.00;

One claim of The Richey Pilot by Forest Gaines, publisher, for the sum of \$188.50;

One claim of The Valerian by Sam McRule, publisher, for the sum of \$273.00;

One claim of The Columbian by C. E. Clemens, publisher, for the sum of \$201.50;

One claim of The Medicine Lake Wave by Mary A. Dolin, publisher, for the sum of \$504.00;

One claim of the Glasgow Democrat by M. Mary McGovern, as principal clerk, for the sum of \$208.00;

One claim of The Hinsdale Tribune by J. E. Greene, publisher, for the sum of \$279.50;

One claim of The Redstone Review by F. J. Sherry, publisher, for the sum of \$247.00;

One claim of the Belt Valley Times by S. A. Remington, publisher, for the sum of \$260.00;

One claim of the Big Hole Basin News by Richard Hathaway, publisher, for the sum of \$270.00;

One claim of The Townsend Star by Mrs. T. N. Averill, publisher, for the sum of \$562.00;

One claim of The Grass Range Review by R. B. Vrooman, publisher, for the sum of \$90.00;

One claim of the Choteau Acantha by L. K. Dalky, as editor, for the sum of \$484.00;

One claim of The Winnett Times by C. R. Doherty, as secretary, for the sum of \$280.00;

One claim of The Benton Publishing Company by Wm. H. Jenkinson, president, for the sum of \$266.00;

One claim of The Moore Independent by W. A. Johns, publisher, for the sum of \$209.00;

One claim of the Gildford Tribune by W. C. Kester, publisher, for the sum of \$280.00;

One claim of The Laredo Tribune by H. A. Miller, publisher, for the sum of \$315.00;

One claim of The Box Elder Valley Press by P. H. Hersey, publisher, for the sum of \$280.00;

One Claim of The Outlook by Joseph Gehrett, publisher, for the sum of \$273.00;

One claim of the Sunburst Sun by C. H. Kingdom, foreman, for the sum of \$602.00.

ARTICLE V

That the said Charles T. Stewart is now and at all times since the first Monday of January, 1917, has been the duly elected, qualified and acting Secretary of State of the State of Montana; that the said Charles T. Stewart, being and occupying the official position of Secretary of State of the State of Montana, unmindful of the high duties of his office and the dignities and proprieties thereof and unmindful of his oath of office in connection with his duties as Secretary of State of the State of Montana and in utter disregard of his said oath and duties as Secretary of State and in utter disregard of the duties imposed upon him as such official and in violation of the Constitution and Statutes of the State of Montana, was and has been and is guilty of high crimes and misdemeanors and malfeasance in office committed in the manner and as is hereinafter set forth, that is to say:

That the Eighteenth Legislative Assembly of the State of Montana, under and by virtue of Chapters 97, 134 and 137, provided for the submission to the qualified electors of the State of Montana of certain amendments to the State Constitution; that in the publication of said proposed amendments in the year of 1924 the said Charles T. Stewart, contrary to and in violation of the provisions of the Constitution and the Statutes of the State of Montana, wrongfully and unlawfully caused the same to be published in newspapers published and circulated in various counties of the State of Montana, for periods less than that required by the Constitution and Statutes of the State of Montana; that the said Charles T. Stewart is by virtue of the Constitution and the laws of the State of Montana, a member ex-officio of the State Board of Examiners; that the said Charles T. Stewart as a member of the State Board of Examiners, approved as legal, valid and subsisting claims against the State of Montana, aggregating in all the sum of \$9017.25 dollars; that said Charles T. Stewart, as a member of the State Board of Examiners, well knew or should have known at the time that he approved said claims, that the same were illegal and invalid as against the State of Montana and that the same should not have been approved; that the following constitutes a list of said claims as approved by the said Charles T. Stewart, as a member of the State Board of Examiners:

One claim of The Yellowstone by J. E. Patton, publisher, for the sum of \$273.00;

One claim of The Winifred Times by Edward C. Wildung, publisher, for the sum of \$240.00;

One claim of the Dutton Sentinel by W. R. Lathrop, publisher, for the sum of \$259.00;

One claim of the Three Forks News by W. E. Ballard, publisher, for the sum of \$180.00;

One claim of the Richey Pilot by Forest Gaines, publisher, for the sum of \$188.50;

One claim of The Valerian by Sam McRule, publisher, for the sum of \$273.00;

One claim of The Columbian by C. E. Clemens, publisher, for the sum of \$201.50;

One claim of The Medicine Lake Wave by Mary A. Dolin, publisher, for the sum of \$504.00;

One claim of The Glasgow Democrat by M. Mary McGovern, as principal clerk, for the sum of \$208.00;

One claim of The Hinsdale Tribune by J. E. Greene, publisher, for the sum of \$279.50;

One claim of The Redstone Review by F. J. Sherry, publisher, for the sum of \$247.00;

One claim of the Belt Valley Times by S. A. Remington, publisher, for the sum of \$260.00;

One claim of the Big Hole Basin News by Richard Hathaway, publisher, for the sum of \$270.00;

One claim of The Townsend Star by Mrs. T. N. Averill, publisher, for the sum of \$562.00;

One claim of The Grass Range Review by R. B. Vrooman, publisher, for the sum of \$90.00;

One claim of the Choteau Acantha by L. K. Dalky, as editor, for the sum of \$484.00;

One claim of the Winnett Times by C. R. Doherty, as secretary, for the sum of \$280.00;

One claim of The Benton Publishing Company by Wm. H. Jenkinson, president, for the sum of \$266.00;

One claim of The Moore Independent by W. A. Johns, publisher, for the sum of \$209.00;

One claim of the Gildford Tribune by W. C. Kester, publisher, for the sum of \$280.00;

One claim of The Laredo Tribune by H. A. Miller, publisher, for the sum of \$315.00;

One claim of The Box Elder Valley Press by P. H. Hersey, publisher, for the sum of \$280.00;

One claim of The Outlook by Joseph Gehrett, publisher, for the sum of \$273.00;

One claim of the Sunburst Sun by C. H. Kingdom, foreman, for the sum of \$602.00.

ARTICLE VI

That the said Charles T. Stewart is now and at all times since the first Monday of January, 1917, has been the duly elected, qualified and acting Secretary of State of the State of Montana; that the said Charles T. Stewart being and occupying the official position of Secretary of State of the State of Montana, unmindful of the high duties of his office and the dignities and proprieties thereof, and unmindful of his oath of office in connection with his duties as Secretary of State, and in utter disregard of his duties imposed upon him as such official, and in violation of the Constitution of the State of Montana, was and has been and is guilty of high crimes and misdemeanors and malfeasance in office, committed in the manner and as is set forth in the several specifications herein, that is to say:

Specification No. 1. That the Eighteenth Legislative Assembly of the State of Montana, under Chapter 97 of the Session Laws of the said Assembly, provided for the submission to the qualified electors of the State of Montana of an amendment to Section 10, Article 19 of the Constitution of the State of Montana; that under and by virtue of Section 9 of Article 19 of the Constitution the Secretary of State shall cause the said amendment to be published in full in at least one newspaper in each county (if such there be) for three months previous to the next general election for members to the Legislative Assembly; that in the publication of the said proposed amendment to Section 10 of Article 9 of the Constitution, in 1924 as aforesaid, the said Charles T. Stewart, Secretary of State, contrary to and in violation of the provisions and the intent of the Constitution, wrongfully and needlessly caused the same to be published in newspapers published and circulated in various counties of the State, greatly in excess

of the number provided for, contemplated by and which would have fully complied with the provisions of the Constitution of Montana, said excessive publications being published in the following newspapers:

Said proposed amendment, published in "Bridger Times" and "Carbon County Chronicle" in Carbon County, Montana;

Said proposed amendment, published in "Great Falls Leader" and "Belt Valley Times" in Cascade County, Montana;

Said proposed amendment, published in "Daniels County Leader" and "Scobey Sentinel" in Daniels County, Montana;

Said proposed amendment, published in "Winifred Times" and "Fergus County Argus" in Fergus County, Montana;

Said proposed amendment, published in "Ringling Independent" and "Republican" in Meagher County, Montana;

Said proposed amendment, published in "Choteau Acantha" and "Montanan", in Teton County, Montana;

Said proposed amendment, published in "Sunburst Sun" and "Promoter" in Toole County, Montana;

Said proposed amendment published in "Glasgow Courier" and "Valley County Reporter", "Nashua Independent", "Glasgow Democrat" and "Hinsdale Tribune" in Valley County, Montana;

That each and all of said publications were useless and unnecessary for a legal and proper submission of the proposed amendment to the qualified electors of the State of Montana, as provided by law, and each said excessive publication thereby caused and incurred an illegal and unwarranted claim against the State of Montana and the payment of which constituted and was an useless, unwarranted, extravagant, reckless, wasteful and illegal expenditure of the funds of the State of Montana, and all of which was a violation of the oath of office and of the duties imposed by law upon the said Charles T. Stewart as Secretary of State of State of Montana.

Specification No. 2. That the Eighteenth Legislative Assembly of the State of Montana by virtue of Chapter 134 of the Session Laws thereof, provided for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana, an amendment to the Constitution of the State, to be known and designated as Article 21 thereof; that under and by virtue of Section 9 of Article 19 of the Constitution the Secretary of State shall cause the said amendment to be published in full in at least one newspaper in each county (if such there be) for three months previous to the next general election for members to the Legislative Assembly; that in the publication of said proposed amendment the said Charles T. Stewart, Secretary of State as aforesaid, contrary to, and in violation of the provisions of the Constitution, wrongfully and needlessly caused the same to be published in newspapers published and circulated in various counties of the State, greatly in excess of the number provided for, contemplated by and which would have fully complied with the provisions of the Constitution of Montana, said excessive publications being published in the following newspapers;

Said proposed amendment, published in "Bridger Times" and "Carbon County Chronicle" in Carbon County, Montana;

Said proposed amendment, published in "Daniels County Leader" and "Scobey Sentinel" in Daniels County, Montana;

Said proposed amendment, published in "Winifred Times", "Fergus County Argus" and "Grass Range Review" in Fergus County, Montana;

Said proposed amendment, published in "Courier" and "Three Forks News" in Gallatin County, Montana;

Said proposed amendment, published in "Ringling Independent" and "Republican" in Meagher County, Montana;

Said proposed amendment, published in "Poplar Standard" and "Searchlight" in Roosevelt County, Montana;

Said proposed amendment published in "Medicine Lake Wave" and "Plentywood Herald" in Sheridan County, Montana;

Said proposed amendment published in "Choteau Acantha" and "Montanan" in Teton County, Montana;

Said proposed amendment published in "Sunburst Sun" and "Promoter", in Toole County, Montana;

Said proposed amendment published in "Glasgow Courier", "Valley County Reporter", "Nashua Independent", "Glasgow Democrat", in Valley County, Montana;

That each and all of said publications were useless and unnecessary for a legal and proper submission of the proposed amendment to the qualified electors of the State of Montana, as provided by law; and each said excessive publication thereby caused and incurred an illegal and unwarranted claim against the State of Montana and the payment of which constituted and was an useless, unwarranted, extravagant, reckless, wasteful and illegal expenditure of the funds of the State of Montana, and all of which was a violation of the oath of office and of the duties imposed by law upon the said Charles T. Stewart as Secretary of State of the State of Montana.

Specification No. 3. That the Eighteenth Legislative Assembly of the State of Montana by virtue of Chapter 137 of the Session Laws thereof, provided for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana, an amendment to the Constitution of the State, to be known and designated as Article 22 thereof; that under and by virtue of Section 9 of Article 19 of the Constitution the Secretary of State shall cause the said amendment to be published in full in at least one newspaper in each county (if such there be) for three months previous to the next general election for members to the Legislative Assembly; that in the publication of said proposed amendment the said Charles T. Stewart, Secretary of State as aforesaid, contrary to, and in violation of the provisions of the Constitution, wrongfully and needlessly caused the same to be published in newspapers published and circulated in various counties of the state, greatly in excess of the number provided for, contemplated by and which would have fully complied with the provisions of the Constitution of Montana, said excessive publications being published in the following newspapers:

Said proposed amendment, published in "Bridger Times", "Carbon County Chronicle" and "Picket Journal" in Carbon County, Montana;

Said proposed amendment published in "Great Falls Leader" and "Belt Valley Times" in Cascade County, Montana;

Said proposed amendment published in "Choteau County Independent" and "The Mountaineer" in Choteau County, Montana;

Said proposed amendment published in "Daniels County Leader" and "Scobey Sentinel" in Daniels County, Montana;

Said proposed amendment published in "Dawson County Review" and "Richland Pilot" in Dawson County, Montana;

Said proposed amendment published in "Winifred Times", "Moore Independent" and "Fergus County Argus", in Fergus County, Montana;

Said proposed amendment published in "Whitefish Pilot", "Columbia Falls Columbian" and "Daily Interlake" in Flathead County, Montana;

Said proposed amendment published in "Jordan Times", "Garfield County Journal" in Garfield County, Montana;

Said proposed amendment published in "Gildford Tribune", "Box Elder Valley Press", "Laredo Tribune" and "Havre Daily Promoter" in Hill County, Montana;

Said proposed amendment published in "Madison County Forum", and "Madisonian" in Madison County, Montana;

Said proposed amendment published in "Ringling Independent" and "Republican" in Meagher County, Montana;

Said proposed amendment published in the "Independent" and "Phillips County News" in Phillips County, Montana;

Said proposed amendment published in the "Independent", "Observer" and "Valier Valerian" in Pondera County, Montana;

Said proposed amendment published in "Wolf Point Herald", "Froid Tribune" and "Valley Tribune" in Roosevelt County, Montana;

Said proposed amendment published in "Dutton Sentinel", "Choteau Acantha" and "Montanan" in Teton County, Montana;

Said proposed amendment published in "Sunburst Sun" and "Promoter" in Toole County, Montana;

Said proposed amendment published in "Glasgow Courier", "Valley Courier", "Valley County Reporter", "Nashua Independent", "Glasgow Democrat" and "Hinsdale Tribune" in Valley County, Montana;

Said proposed amendment published in "Billings Gazette", "The Yellowstone" and the "Laurel Outlook", in Yellowstone County, Montana;

That each and all of said publications were useless and unnecessary for a legal and proper submission of the proposed amendment to the qualified electors of the State of Montana, as provided by law, and each said excessive publication thereby caused and incurred an illegal and unwarranted claim against the State of Montana, and all of which was a violation of the oath of office and of the duties imposed by law upon the said Charles T. Stewart as Secretary of State of the State of Montana.

That claims for each and all of the foregoing and excessive publications and for the publications of each of the foregoing amendments as is hereinbefore set forth have been presented to the State of Montana; that each and every one of said claims for such publications were duly approved by the said Charles T. Stewart as Secretary of State and each and every one of said claims have been paid; that the aggregate total of said claims for said excessive publications amount in the aggregate to several thousands of dollars, and the payment of each constitutes and is an unwarranted, unlawful, useless, wasteful expenditure of the funds of said State, and all of which were caused and authorized by the said Charles T. Stewart as Secretary of State of the State of Montana in violation of his oath and the duties pertaining to his office.

ARTICLE VII

That the said Charles T. Stewart is now and at all times since the first Monday of January, 1917, has been the duly elected, qualified and acting Secretary of State of the State of Montana; that the said Charles T. Stewart, being and occupying the official position of Secretary of State of the State of Montana, unmindful of the high duties of his office and the dignities and proprieties thereof, and unmindful of his oath of office in connection with his duties as Secretary of State, and in utter disregard of his duties imposed upon him as such official, and in violation of the Constitution of the State of Montana, was and has been and is guilty of high crimes and misdemeanors and malfeasance in office, committed in the manner and as is set forth in the several specifications herein, that is to say:

Specification No. 1. That the Nineteenth Legislative Assembly of the State of Montana, under Chapter 91 of the Session Laws thereof provided for the submission to the qualified electors of the State of Montana an amendment to Article 12 of the Constitution of the State of Montana; that under and by virtue of Section 9 of Article 19 of the Constitution the Secretary of State shall cause the said amendment to be published in full in at least one newspaper in each county (if such there be) for three months previous to the next general election for members to the Legislative Assembly; that in the publication of the said proposed amendment to Section 10 of Article 9 of the Constitution as aforesaid, the said Charles T. Stewart, Secretary of State, contrary to and in violation of the provisions and the intent of the Constitution, wrongfully and needlessly caused

the same to be published in newspapers published and circulated in various counties of the State, greatly in excess of the number provided for, contemplated by and which would have fully complied with the provisions of the Constitution of Montana, said publications being as follows:

Published in two newspapers in Beaverhead County, Montana.
 Published in two different newspapers in Big Horn County, Montana.
 Published in four different newspapers in Hill County, Montana.
 Published in two different newspapers in Carbon County, Montana.
 Published in two different newspapers in Carter County, Montana.
 Published in four different newspapers in Cascade County, Montana.
 Published in two different newspapers in Choteau County, Montana.
 Published in three different newspapers in Fallon County, Montana.
 Published in four different newspapers in Fergus County, Montana.
 Published in five different newspapers in Flathead County, Montana.
 Published in three different newspapers in Gallatin County, Montana.
 Published in two different newspapers in Garfield County, Montana.
 Published in two different newspapers in Glacier County, Montana.
 Published in two different newspapers in Jefferson County, Montana.
 Published in two different newspapers in Judith Basin County, Montana.
 Published in two different newspapers in Lake County, Montana.
 Published in two different newspapers in Lewis and Clark County, Montana.
 Published in two different newspapers in Liberty County, Montana.
 Published in four different newspapers in Lincoln County, Montana.
 Published in two different newspapers in Madison County, Montana.
 Published in two different newspapers in Musselshell County, Montana.
 Published in two different newspapers in Park County, Montana.
 Published in two different newspapers in Phillips County, Montana.
 Published in two different newspapers in Pondera County, Montana.
 Published in two different newspapers in Ravalli County, Montana.
 Published in four different newspapers in Richland County, Montana.
 Published in three different newspapers in Rosebud County, Montana.
 Published in four different newspapers in Roosevelt County, Montana.
 Published in two different newspapers in Sanders County, Montana.
 Published in four different newspapers in Sheridan County, Montana.
 Published in three different newspapers in Silver Bow County, Montana.
 Published in two different newspapers in Sillwater County, Montana.
 Published in three different newspapers in Teton County, Montana.
 Published in two different newspapers in Toole County, Montana.
 Published in six different newspapers in Valley County, Montana.
 Published in two different newspapers in Wheatland County, Montana.
 Published in two different newspapers in Yellowstone County, Montana.
 That all of said excessive publications were unnecessary for a legal and proper submission of the said amendment to the qualified electors of the State of Montana as provided by the constitution, and each said excessive publication was in fact illegal and the payment of each constituted and was an unwarranted, extravagant, reckless, wasteful and unnecessary expenditure of the funds of the State of Montana.

Specification No. 2. That in the publications of the proposed amendment for the year of 1926, as aforesaid, the said Charles T. Stewart, Secretary of State, presented to the State Purchasing Agent a list of newspapers in which he, the said Charles T. Stewart proposed to publish the said amendment for the purpose of procuring a requisition therefor; that the said list was presented and contained newspapers in excess of the minimum provided for by the Constitution and the Purchasing Agent declined to issue a requisition for the publication thereof, but he the said Purchasing Agent, advised the said Charles T. Stewart that if he, the said Charles T. Stewart, would select one newspaper in each county in which the said amendment should be published, that a requisition would be issued therefor; that the said Charles T. Stewart refused to submit such a list and withdrew from

the said Purchasing Agent the said list, and proceeded to and did publish the said amendment in newspapers in various counties of the State as aforesaid, all being done without any requisition therefor, and contrary to the laws of the State of Montana in relation thereto.

Specification No. 3. That claims for each and all of the foregoing excessive publications have been duly presented to the State of Montana; that each and every one of said claims for said publications were duly approved by the said Charles T. Stewart as Secretary of the State of Montana and as a member of the State Board of Examiners and that each and every one of said claims have been paid; that the aggregate total of said claims for said excessive publications amount in the aggregate to several thousands of dollars, the payment of which constitutes and is an unwarranted, unlawful, reckless, wasteful and unnecessary expenditure of the funds and moneys of the said State.

ARTICLE VIII

That Charles T. Stewart is now and at all times since the first Monday of January, 1917, has been the duly elected, qualified and acting Secretary of State, being and occupying the official position of Secretary of the State of the State of Montana, unmindful of the high duty of his office and the dignities and proprieties thereof and unmindful of his oath of office in connection with the duties of Secretary of State of the State of Montana and in utter disregard of his said oath and duties of Secretary of State and in utter disregard of his duties imposed upon him as such official, was and has been and is guilty of high crimes and misdemeanors and malfeasance in office committed in the manner as is set forth and herein written in substance, that is to say:

In that he has without lawful authority, applied funds appropriated for salaries and expenses of his office for one certain biennium, namely, from July 1, 1925, to June 30, 1926, and at other times, to the funding of deficiencies, salaries or expenses arising out of the activities of the office of Secretary of State of Montana during the previous biennium. That he has charged items against one certain special fund, namely, the Motor Vehicle Administrative Fund, which charges should have been properly made against the general fund, and thereby and at other times, exceeded and defeated the express intention of the Nineteenth Legislative Assembly of the State of Montana, and contrary to public policy.

ARTICLE IX

That the said Charles T. Stewart is now and at all times since the first Monday of January, 1917, has been the duly elected, qualified and acting Secretary of State of the State of Montana; that the said Charles T. Stewart being and occupying the official position of Secretary of State of the State of Montana, unmindful of the high duties of his office and the dignities and proprieties thereof, and unmindful of his oath of office in connection with his duties as Secretary of State, and in utter disregard of his said oath and duties as Secretary of State, and in violation of the constitution and statutes of the State of Montana, was and has been and is guilty of high crimes and misdemeanors and malfeasance in office, committed in a manner and as is hereafter set forth, that is to say:

That the said Charles T. Stewart, as Secretary of the Board of Examiners, acting as such by virtue of his office of Secretary of State of the State of Montana, and as a member of the State Board of Examiners as is provided by law and whose duty it was under the laws of the State of Montana to keep a record of all of the proceedings of the State Board of Examiners, failed and neglected to keep or preserve any minutes or records of the meetings of the Board of Examiners of the State of Montana between the 15th day of January, 1925, and on or about the 15th day of June of the same year; that no minutes or records of the proceedings of the minutes of the State Board were then written up and that there is not now any correct minutes or records of the proceedings of the meetings of the State Board between the above said dates and that it cannot be told

with any degree of certainty what proceedings were had during said time or what acts the State Board did or performed during the above said times.

That the said Charles T. Stewart, as Secretary of the Board of Examiners, has not at all times kept a full, true and complete record of the proceedings of the State Board of Examiners, acting as such and as is provided by law.

ARTICLE X

That the said Charles T. Stewart is now and at all times since the first Monday of January, 1917, has been the duly elected, qualified and acting Secretary of State of the State of Montana; that the said Charles T. Stewart being and occupying the official position of Secretary of State of the State of Montana, unmindful of the high duties of his office and the dignities and proprieties thereof, and unmindful of his oath of office in connection with his duties as Secretary of State, and in utter disregard of his said oath and duties as Secretary of State, and in violation of the constitution and statutes of the State of Montana, was and has been and is guilty of high crimes and misdemeanors and malfeasance in office, committed in a manner and as is hereafter set forth, that is to say:

That at the time the said Charles T. Stewart assumed office as Secretary of State on the first Monday of January, 1917, the salary of his deputy was under the law of the State of Montana fixed at \$2100.00 per year, that thereafter and prior to the year of 1925 the salary of his said deputy was from time to time raised by the said Secretary of State until the said deputy was being paid the sum of \$3000.00, but so far as the record of the Board of Examiners is concerned, or any other records in the proper offices of the State Capitol in Helena, Montana, no authority was ever granted to the said Charles T. Stewart as Secretary of State, or to any other person, to raise the salary of the said deputy and that such raise of said salary was in violation and contrary to the laws of the State of Montana.

ARTICLE XI

That Charles T. Stewart, is now and at all times since the first Monday of January, 1917, has been the duly elected, qualified and acting Secretary of State, being and occupying the official position of Secretary of the State of the State of Montana, unmindful of the high duty of his office and the dignities and proprieties thereof and unmindful of his oath of office in connection with the duties of Secretary of State of the State of Montana and in utter disregard of his said oath and duties of Secretary of State and in utter disregard of his duties imposed upon him as such official, was and has been and is guilty of high crimes and misdemeanors and malfeasance in office committed in the manner and as is set forth in the specifications herein written in substance and in effect, that is to say:

Specification No. 1. That the Sixteenth Legislative Assembly of the State of Montana appropriated the sum of Seven Thousand (\$7000.00) Dollars for the use of Secretary of State of the State of Montana in publishing, printing and indexing the proceedings of the Constitutional Convention of 1889; that the said Charles T. Stewart was during all times mentioned herein the duly elected, qualified and acting Secretary of State of the State of Montana; that as such official he employed one said Edgar Stewart, he the said Edgar Stewart being the son of the said Charles T. Stewart, for the monthly salary of Three Hundred (\$300.00) Dollars to publish and index the said proceedings of the Constitutional Convention of 1889; that the said Edgar Stewart received compensation at the rate of Three Hundred (\$300.00) Dollars per month from the State of Montana for the period of seventeen months and for a considerable period longer than that, the exact length of time being at this time unknown; that the said employment of said Edgar Stewart at the said salary and for the said period or periods of time was an excessive, un-

warranted, extravagant, reckless, wasteful and unnecessary expenditure of the funds of the State of Montana.

ARTICLE XII

That Charles T. Stewart is now and at all times since the first Monday of January, 1917, has been the duly elected, qualified and acting Secretary of State, being and occupying the official position of Secretary of State of the State of Montana, unmindful of the high duty of his office and the dignities and proprieties thereof and unmindful of his oath of office in connection with the duty of Secretary of State of the State of Montana and in utter disregard of his said oath and duty of Secretary of State and in utter disregard of his duty imposed upon him as such official, was and has been and is guilty of high crimes and misdemeanor and malfeasance in office committed in the manner and as set forth hereafter in substance and effect that is:

1. That he has at various and diverse times used prestige and position of his office as Secretary of State to secure personal pecuniary gain and favor to himself and the members of his family; that he has wrongfully, wilfully and corruptly used funds of the State of Montana for purposes other than lawful and has generally conducted the office of the Secretary of State so as to bring great scandal, reproach and repute on said office and on the State of Montana.

And the House of Representatives, of the Twentieth Legislative Assembly of the State of Montana, by protestation, saving to themselves the liberty of exhibiting at any time hereafter any further articles or other accusations or impeachment against the said Charles T. Stewart, Secretary of State of the State of Montana, and further saving to themselves the right of amendment of the above articles and of offering proof to the same and every part thereof, and to all and every other article, accusation, or impeachment which shall be exhibited by them as the case shall require, do demand that the said Charles T. Stewart, Secretary of State as aforesaid may be put to answer the high crimes and misdemeanors and malfeasance in office herein charged against him, and that such proceedings, examination, trials, and judgments may be thereupon had and given as may be agreeable to the Constitution and law of the State of Montana; and the said Assembly are ready to offer proof of said matter at such time as the Honorable Court for the trial of the impeachment may order and appoint.

Helena, Montana, March 3rd, 1927.

G. M. MOSS.
HARRY L. BURNS.
W. B. LEAVITT.
W. R. FLACHSENHAR.
DENNIS A. DELLWO.
G. T. DAVIS, Speaker.

Attest:

H. J. FAUST, Chief Clerk.

I, the Chief Clerk of the House of Representatives, do hereby certify that the foregoing is a full, true and correct copy of the original Articles of Impeachment which were, and have been duly and regularly adopted by the House of Representatives, properly engrossed and enrolled.

In Witness Whereof, I have hereunto set my hand on this the 3rd day of March, 1927.

H. F. FAUST, Chief Clerk.

Moved by Bricker, duly seconded and carried, that the Articles of Impeachment be adopted.

The Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 314, 90, 268, 66, 317, Sub. 190.

MERRITT, Vice-Chairman."

At the request of Bricker, there being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Bricker, duly seconded and carried, that the House now resolve itself into Committee of the Whole for the consideration of Articles of Impeachment in the matter of Charles T. Stewart, Secretary of State of the State of Montana.

Mr. Miller of Fergus in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Articles of Impeachment against Charles T. Stewart, Secretary of State of the State of Montana, having been read through article by article, recommend that the Articles of Impeachment be adopted as Articles of Impeachment against Charles T. Stewart and proffered before the Senate of the Twentieth Legislative Assembly in regular session, and that they be proffered as such.

MILLER of Fergus, Chairman."

On motion of Miller of Fergus, report adopted.

The Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: 319, 323.

MERRITT, Vice-Chairman."

At the request of Bricker, there being no objections, House reverted to Order of Business No. 9.

THIRD READING OF HOUSE BILLS

Articles of Impeachment against Charles T. Stewart, Secretary of State of the State of Montana, having been read in full three several times, and the Speaker having hesitated an appreciable period of time between the reading of each Article, and no one requesting a separate vote on each Article, said Articles of Impeachment were adopted in their entirety, by the following vote:

Call of the House demanded by Bricker, seconded by fifteen members. The clerk called the roll and found the following members absent: Bretzke, excused; Lowry, excused; McLeod, Mulholland, Ryder.

On motion of Bricker, further action on call of the House was dispensed with.

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Harcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—96.

Noes: None.

Absent and not voting: Bretzke, Lowry, McLeod, Mulholland, Ryder. Total—5.

Pass: Troy. Total—1.

At the request of Bricker, there being no objections, House reverted to order of business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that the Chief Clerk be instructed to notify the Senate that the Board of Managers are ready to present the Articles of Impeachment.

There being no objections, House reverted to Order of Business No. 3

REPORTS OF SELECT COMMITTEES

The conference committee appointed for consideration of amendments to House Bill No. 64 reported as follows:

"We, your Conference Committee on House Bill No. 64, introduced by the Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance of certain of the State offices of the State of Montana for the period beginning July 1, 1927, and ending June 30, 1929", respectfully report as follows:

That Senate recede from its amendment to Section 1, which amendment reads as follows:

Amend lines 8 and 9 of the engrossed bill on page 3, by striking out the words and figures "\$2275.00" and inserting in lieu thereof the words and figures "\$3467.00".

And insert in lieu thereof the amendment which reads as follows: Amend lines 7 and 8 of the engrossed bill on page 3 by striking out the words and figures "\$2275.00", and inserting in lieu thereof the words and figures "\$2500.00".

The Senate and House concur in making a new amendment to read as follows:

Amend line 22 of the engrossed bill on page 3 by striking out the words and figures "\$1620.00", and inserting in lieu thereof the words and figures "\$1120.00".

That the Senate recede from its amendment to Section 2, which amendment reads as follows:

Amend lines 9 and 10 of Section 2, page 7, of the engrossed bill by striking out the words and figures "\$2275.00" and inserting in lieu thereof the words and figures "\$3467.00".

And insert in lieu thereof the amendment which reads as follows: Amend lines 9 and 10 of Section 2, page 7, of the engrossed bill by striking out the words and figures "\$2275.00" and inserting in lieu thereof the words and figures "\$2500.00".

That the Senate recede from its second amendment which reads as follows:

Amend Section 2, page 7, of the engrossed bill at lines 21 and 22 by striking out the words and figures "\$125.00" and inserting in lieu thereof the words and figures "\$375.00".

The Senate and House concur in making a new amendment to read as follows:

Amend Section 2, line 24 on page 7 of the engrossed bill by striking out the words and figures "\$1620.00" and inserting in lieu thereof the words and figures "\$1120.00".

REED.
JONES.
DORAN.

House.

STEWART.
RUFFCORN.
BERGSTROM.

Senate.

On roll call, the Conference Committee report was adopted by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Hodgskiss, Holton, Jameson, Harris, Jensen, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Kelly, Knight, Knowles, Kroman, Lamb, Leavens, Leavitt, Logan, McCleary, Marshall, Mason, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Murphy, Nagle, Nelson, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Tinsley, Troy, Waite, Warren, Westlake, Willard, Woodcock, Mr. Speaker. Total—92.

Noes: None.

Absent and not voting: Bretzke, Cooney, Larson, Lillis, Lowry, McLeod, Mulholland, Ryder, Shields, White. Total—10.

Moved by Cooney, duly seconded and carried, that the following communications received from the Senate, be considered read at length and the Journal so show:

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 164 was this day read three several times and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

Committee on Finance and Claims amendments:

Amend at line 4, page 2, by striking out the words and figures "\$8,450.00". and inserting in lieu thereof the words and figures "\$8000.00".

Amend at line 7, page 2, by striking out the words and figures "\$2000.00" and inserting in lieu thereof the words and figures "\$1200.00".

Amend at line 10, page 2, by striking out the words and figures "\$1000.00" and inserting in lieu thereof the words and figures "\$255.00".

Amend in line 15, page 2, of said bill by striking out the words and figures "\$11,000.00" and inserting in lieu thereof the words and figures "\$10,000.00".

Amend at line 18, page 3, by striking out the words and figures "\$8,450.00" and inserting in lieu thereof the words and figures "\$8000.00".

Amend at line 21, page 2, by striking out the words and figures "\$2000.00" and inserting in lieu thereof the words and figures "\$1200.00".

Amend at line 24, page 3, by striking out the words and figures "\$1000.00" and inserting in lieu thereof the words and figures "\$255.00".

Amend at line 29, page 3, by striking out the words and figures "\$11,000.00" and inserting in lieu thereof the words and figures "\$10,000.00".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 304 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee of the Whole amendment:

Amend in the title by inserting the words "and construction of necessary buildings" after the word "stations" in line 3 of the title.

Committee on Finance and Claims amendments:

That said bill be amended by inserting the following between lines 16 and 17, at page 1, of the original bill:

"For poultry and apiary demonstrations and experimental work at the agricultural experiment station, at the home station, Bozeman, \$5,000.00".

"For irrigation and experimental demonstrations, to be conducted in the Milk River Valley and contiguous irrigation projects, \$6,000.00".

That said bill be further amended, by inserting between lines 22 and 23, at page 2, the following:

"For poultry and apiary demonstrations and experimental work at the agricultural station, at the home station, Bozeman, \$5,000.00".

"For irrigation and experimental demonstrations, to be conducted in the Milk River Valley and contiguous irrigation projects, \$6,000.00".

That said bill be further amended by striking out the words and figures at lines 2, 3, 4 and 5, page 2, of said bill and inserting the following:

"For the construction, alteration and repair of buildings for use and to be used by the Northern Montana Agricultural and Manual Training School, which said buildings are to be constructed and improvements made on the site to be furnished the State of Montana by the City of Havre, and approved by the Executive Board of the aforesaid school, \$35,000.00".

And that said bill be further amended by striking out the words and figures at lines 8, 9, 10 and 11, page 3, and inserting in lieu thereof the following:

"For repairs, furnishings and equipment at the Northern Montana Agricultural and Manual Training School, \$35,000.00".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President appointed the following Senators as a conference committee to act with a like committee from the House for consideration of House amendments to Senate Bill No. 28: McCormick, Kane, Goodman.

Also appointed the following Senators as a conference committee to act with a like committee from the House for consideration of Senate amendments to House Bill No. 50: Johnson, Linn, Walker.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 205 was this day read three several times and concurred in, title agreed to, and is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Sub. for H. B. No. 313 was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments:

Committee of the Whole amendment:

Amend in the title by inserting the words "and Construction of Dormitories" after the word "Units" in line two of the title.

Committee on Finance and Claims amendments:

Amend in the first paragraph of Section 1 to read as follows:

"That the following sums or so much thereof as may be necessary, be and the same are hereby appropriated out of any moneys in the State Treasury not otherwise appropriated and out of any special fund herein designated for the object and purposes hereinafter expressed, for the year beginning July 1st, 1927, and ending June 30th, 1928."

That said bill be further amended by adding the following after the end of line 26, page 1, to-wit:

"For the construction, equipment and furnishing of a new dormitory at the State Normal School at Dillion, Montana, \$50,000." For Regional Summer work, \$2,500.00".

That the first paragraph of Section 3 be amended to read as follows:

"That the following sums or so much thereof as may be necessary, be and the same are hereby appropriated out of any moneys in the State Treasury not otherwise appropriated and out of any special fund herein designated for the object and purposes hereinafter expressed, for the year beginning July 1st, 1927, and ending June 30th, 1928."

That the said bill be further amended after the end of line 17, page 2, as follows:

"For construction, equipment and furnishing of a new dormitory at the State Normal School at Dillon, Montana, \$50,000.00". For Regional Summer School work, \$2,500.00".

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims report that H. B. No. 164 be amended as follows:

Amend at line 4, page 2, by striking out the words and figures "\$8,450.00" and inserting in lieu thereof the words and figures "\$8000.00".

Amend at line 7, page 2, by striking out the words and figures "\$2000.00" and inserting in lieu thereof the words and figures "\$1200.00".

Amend at line 10, page 2, by striking out the words and figures "\$1000.00" and inserting in lieu thereof the words and figures "\$255.00".

Amend at line 15, page 2, of said bill by striking out the words and figures "\$11,000.00" and inserting in lieu thereof the words and figures "\$10,000.00".

Amend at line 18, page 3, by striking out the words and figures "\$8,450.00" and inserting in lieu thereof the words and figures "\$8000.00".

Amend at line 21, page 2, by striking out the words and figures "\$2000.00" and inserting in lieu thereof the words and figures "\$1200.00".

Amend at line 24, page 3, by striking out the words and figures "\$1000.00" and inserting in lieu thereof the words and figures "\$255.00".

Amend at line 29, page 3, by striking out the words and figures "\$11,000.00" and inserting in lieu thereof the words and figures "\$10,000.00", and, as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole, having had under consideration business on General File, report and recommend as follows:

That Sub. H. B. No. 313 be amended in the title by inserting the words "and Construction of Dormitories" after the word "Units" in line 2 of the title, and, as amended, it be concurred in.

Amend H. B. No. 304 in the title by inserting the words "and construction of necessary buildings" after the word "stations" in line 3 of the title, and, as so amended, it be concurred in.

That H. B. No. 205 be concurred in.

Report adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Standing Committees have this day reported as follows:

Committee on Finance and Claims report that Sub. H. B. No. 313 be amended in the first paragraph of Section 1, to read as follows:

"That the following sums or so much thereof as may be necessary, be and the same are hereby appropriated out of any moneys in the State Treasury not otherwise appropriated and out of any special fund herein designated for the object and purposes hereinafter expressed, for the year beginning July 1st, 1927, and ending June 30th, 1928".

That said bill be further amended by adding the following after the end of line 26, page 1, to-wit:

"For the construction, equipment and furnishing of a new dormitory at the State Normal School at Dillon, Montana, \$50,000.00. For Regional Summer School work, \$2,500.00".

That the first paragraph of Section 3 be amended to read as follows:

"That the following sums or so much thereof as may be necessary, be and the same are hereby appropriated out of any moneys in the State Treasury not otherwise appropriated and out of any special fund herein designated for the object and purposes hereinafter expressed, for the year beginning July 1st, 1927, and ending June 30th, 1928."

That the said bill be further amended after the end of line 17, page 2, as follows:

"For the construction, equipment and furnishing of a new dormitory at the State Normal School at Dillon, Montana, \$50,000.00. For Regional Summer School work, \$2,500.00", and, as amended, the bill be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Moved by Moss, duly seconded and carried, that the House recess until 7:30 P. M.

EVENING SESSION

House resumed at 7:30 P. M.

Mr. Speaker in the chair.

The Speaker gave notice that he was about to sign House Bill No. 319, House Bill No. 323, House Bill No. 317, House Bill No. 66, Substitute House Bill No. 190, House Bill No. 268, House Bill No. 90, House Bill No. 194, and thereupon signed said bills.

There being no objections, House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moved by Flachsenhar, duly seconded and carried, that the House now resolve itself into Committee of the Whole for consideration of General Orders.

Mr. Dellwo in the chair.

Committee arose.

House resumed.

Mr. Speaker in the chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate amendments to House Bill No. 88, Senate amendments to House Bill No. 164, Senate amendments to House Bill No. 304, Senate amendments to Substitute House Bill No. 313, respectfully report as follows:

That Senate amendments to House Bill No. 88 be not concurred in and request a conference committee.

That Senate amendments to House Bill No. 164 be not concurred in and request a conference committee.

That Senate amendments to House Bill No. 304 be not concurred in and request a conference committee.

The Senate amendments to Substitute House Bill No. 313 be not concurred in and request a conference committee.

DELLWO, Chairman."

On motion of Dellwo, report adopted.

A committee from the Senate announced that the Senate was ready to receive communications from the House relative to the impeachment proceedings of Charles T. Stewart.

Whereupon the Speaker excused the members of the Board of Managers in the Charles T. Stewart impeachment proceedings.

There being no objections, House reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The following reports of select committees were received:

Mr. President and Mr. Speaker: We, your Joint Conference Committee, appointed to consider the House amendment to Senate Bill No. 126, recommend that the House recede from its amendment in Section 2, line 5, in which line the House inserts after the word "fund" the following words, "Among the common schools, District and County High Schools of this State."

SPARLING.
NICHOLSON.
DELLWO.
SWIFT.
TAYLOR.
BERGSTROM.

On roll call, the conference committee report was adopted by the following vote:

Ayes: Abrahamson, Akofer, Arnold, Ballard, Benjamin, Benson, Barry, Besancon, Bonine, Bricker, Budas, Burke, Burns, Cheadle, Clarke, Clausen, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Flachsenhar, Foot, Fulsher, Green (Fergus), Gustafson, Hagerty, Hardcastle, Harris, Jameson, Jensen, Jones (Phillips), Jones (Cascade), Knowles, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McLeod, Miller (Fergus), Miller (Lincoln), Mulholland, Murphy, Nelson, Nelstead, Nicholson, Plank, Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Throssel, Troy, Warren, White, Willard, Mr. Speaker. Total—67.

Noes: McCleary, Marshall, Mason, Prescott, Woodcock. Total—5.

Absent and not voting: Adair, Bretzke, Brown, Cavanaugh, Chatham, Cooney, Goodwin, Green (Dawson), Hodgskiss, Holton, Johnson, Jones (Ravalli), Kelly, Knight, Kroman, Lowry, Merritt, Moss, Moulton, Nagle, O'Day, Plumer, Reed, Ryder, Shields, Thorburn, Tierney, Tinsley, Waite, Westlake. Total—30.

The Honorable Speaker and Members of the House of Representatives of the Twentieth Legislative Assembly:

"We, your committee, appointed under authority of House Resolution No. 5, by Sample of Dawson, which authorized and instructed committee to obtain definite information concerning business transacted by the several Districts Courts of the State, so that a record might be established for future reference to this and succeeding assemblies, beg leave to report as follows:

Your committee have tabulated the returns from the several Clerks of Court of the State, together with information furnished by District Judges and others. This tabulation is based on information which entailed a great deal of research and assembling of data, painstaking effort on the part of your committee, as well as public officials throughout the State. The information sought was designed to establish a basis for a fair, just and equitable rearrangement of Judicial Districts of this State, with the unselfish purpose of effecting a substantial reduction of expenditures and to

thereby conserve public resources. Tabulated returns attached to and made a part of this report and marked "Exhibit A".

This report, we believe to be accurate as to the number of cases filed, the number of jury trials, the number of days of court with jury and pleas of guilty. We are led to believe, however, that not all Clerks of Court understood what information was desired under the heading trials without a jury." In some of the cases, where the number of such trials appeared out of proportion, we investigated with the county effected, and without fail, it developed that the Clerks had included default cases under this heading, which was not intended.

We note that a total of 729 cases were tried by jury as an average during the past five years, which gives an average of slightly over 24 cases per judge per year. The average number of cases filed per judge per year, including actions of every kind and probate matters filed in the several courts, were slightly over 559 cases per judge.

It appears that about one case in every seven is handled by the Court, either by trial or by default action; apparently the great majority of the cases are settled or dismissed before being brought to judgment. The number of days of court with a jury figured with the number of cases tried by jury discloses that the average jury trial last slightly less than two days.

We, your committee, after taking into consideration all of the data received, are of the opinion that the Judicial business of the State can easily be handled with a greatly reduced number of districts and district judges.

From the information that developed, we are attaching hereto and making a part of this report a tabulation of figures marked "Exhibit B", which shows the yearly average per judge over the past five year period, had districts and judges as proposed in Substitute House Bill No. 284 been in effect during that period. It is our opinion that had the Senate concurred in this bill, the people of the State of Montana could have been saved an expense of not less than \$70,000, and we believe that a careful analysis of the figures presented by this committee will show that a further reduction than was proposed in Substitute House Bill No. 284 could be made in the number of districts and judges without injury to the litigants of the State.

As a further tabulation, we have prepared a record showing actions filed, cases tried by jury, cases tried without jury, days of court with jury and number of liquor cases, by districts and judges, as the law now stands. This tabulation is attached to and make a part of this report and marked "Exhibit C".

Your committee believes that by the continuation of this committee, further valuable data can be secured and a check made upon the figures already received, which might be valuable to future assemblies, should re-districting matter again arise. We, therefore, recommend that this committee be continued, and such committee to report to the Twenty-first Assembly such additional data as they are able to procure. This committee to serve without compensation or cost to the State.

Your committee wishes to acknowledge the whole-hearted and diligent support accorded this committee in all its efforts by the several Clerks of District Courts and District Judges, and other officers and citizens of the State, and we particularly appreciate the hearty co-operation of Clerks of Court, upon whom we were obliged to call for extensive and detailed information, which was so freely and promptly furnished.

Your committee further recommends that this report be spread at length upon the minutes of the assembly, so that the record may be preserved.

Respectfully submitted,

H. A. SAMPLE.
ERNEST A. HARDCASTLE.
LEONARD PLANK.
ORVILLE HARRIS.
E. U. LOGAN.

DISTRICTS	Registered vote	Vote per Judge	Civil & Crim- inal cases	Probate cases	Other cases	Liquor cases	Jury trials	Trials with- out jury	Days Court with jury	Pleas Guilty
5 Yr. Average			85	22	5	11	3	7	11	6
Year 1926			74	31	4	13	3	9	9	3
Madison County	3014									
5 Yr. Average			40	31	5	19	14	6	32	7
Year 1926			60	35	2	0	8	4	32	1
Dist. 5—Total 5 Yr. Av.....			299	87	15	54	27	87	69	43
Dist. 5—Total 1926			277	107	10	26	18	68	57	23
No. 6—1 Judge	10256	10256								
Park County	5454									
5 Yr. Average			267	44	10	32	13	117	29	21
Year 1926			250	45	14	32	17	95	48	21
Sweet Grass County	1833									
5 Yr. Average			99	15	3	8	12	7	18	6
Year 1926			82	21	5	7	8	9	13	4
Stillwater County	2969									
5 Yr. Average			218	22	4	11	7	2	10	9
Year 1926			144	29	8	13	7	1	13	10
Dist. 6—Total 5 Yr. Av.....			584	81	17	51	32	126	59	36
Dist. 6—Total 1926			476	95	27	52	32	105	74	35
No. 7—1 Judge	9403	9403								
Dawson County	3298									
5 Yr. Average			179	35	7	13	11	4	9	12
Year 1926			130	41	6	13	10	9	9	13
Richland County	3091									
5 Yr. Average			291	29	3	11	7	2	10	18
Year 1926			171	24	2	11	8	3	11	14
Wibaux County	1265									
5 Yr. Average			81	12	0	1	2	7	5	1
Year 1926			37	15	0	0	2	3	2	1
McCone County	1749									
5 Yr. Average			145	16	2	2	6	4	4	2
Year 1926			92	16	6	1	7	2	7	1
Dist. No. 7—Total 5 Yr. Av.....			696	92	12	27	26	17	28	33
Dist. 7—Total Yr. 1926.....			430	96	14	25	27	17	29	29
No. 8—2 Judges	15036	7518								
Cascade County										
5 Yr. Average			1016	114	30	84	81	145	63	63
Year 1926			805	102	37	41	38	126	47	55
No. 9—1 Judge	7171	7171								
Gallatin County										
5 Yr. Average			330	64	14	21	17	8	39	19
Year 1926			234	66	15	17	18	9	36	13
No. 10—2 Judges	12698	6349								
Fergus County	8500									
5 Yr. Average			845	73	31	25	24	8	120	28
Year 1926			468	75	28	6	15	9	70	15
Judith Basin County	2812									
5 Yr. Average			200	18	3	7	7	11	22	5
Year 1926			115	20	2	5	0	10	4	2
Petroleum County	1386									
5 Yr. Average			103	8	1	1	0	2	0	1
Year 1926			88	11	1	2	0	4	0	1
Dist. No. 10—Total 5 Yr. Av.....			1148	99	35	33	31	21	142	34
Dist. 10—Total 1926			673	106	31	13	15	23	74	18

DISTRICTS	Registered vote	Vote per Judge	Civil & Crim- inal cases	Probate cases	Other cases	Liquor cases	Jury trials	Trials with- out Jury	Days Court with Jury	Pleas Guilty
No. 11—1 Judge	10869	10869								
Flathead County	7531									
5 Yr. Average			277	81	44	32	19	77	30	26
Year 1926			172	82	30	11	14	52	21	12
Lincoln County	3338									
5 Yr. Average			92	30	6	9	7	9	12	3
Year 1926			95	24	7	3	2	10	9	5
Dist. 11—Total 5 Yr. Av.			369	111	50	41	26	86	42	29
Dist. No. 11—Total 1926			267	106	37	14	16	62	30	17
No. 12—1 Judge										
Chouteau County	3745	3745								
5 Yr. Average			455	126	7	5	7	18	18	7
Year 1926			262	88	15	9	3	13	2	5
No. 13—2 Judges	18717	9359								
Yellowstone County	10733									
5 Yr. Average			859	137	42	98	35	42	65	67
Year 1926			682	147	42	70	20	43	56	50
Carbon County	5269									
5 Yr. Average			230	43	11	26	20	16	25	12
Year 1926			172	53	8	29	21	13	25	13
Big Horn County	2715									
5 Yr. Average			200	25	6	17	13	136	12	6
Year 1926			139	28	5	14	9	110	15	4
Dist. 13—Total 5 Yr. Av.			1289	205	59	131	68	294	102	85
Dist. 13—Total 1926			993	228	55	113	50	166	91	67
No. 14—1 Judge	5260	5260								
Broadwater County	1735									
5 Yr. Average			68	20	1	1	6	6	12	2
Year 1926			46	17	2	1	6	12	14	1
Meagher County	1369									
5 Yr. Average			68	10	1	2	6	2	20	2
Year 1926			56	12	3	1	3	4	13	1
Wheatland County	2156									
5 Yr. Average			188	17	5	9	12	44	29	5
Year 1926			146	20	6	6	9	37	30	7
Dist. No. 14—Total 5 Yr. Av.			324	47	7	12	25	52	61	9
Dist. 14—Total 1926			248	49	11	8	18	53	57	9
No. 15—1 Judge	9061	9061								
Musselshell County	3852									
5 Yr. Average			315	27	15	24	18	29	32	11
Year 1926			195	28	7	20	22	28	40	7
Treasure County	777									
5 Yr. Average			51	5	1	1	2	1	5	1
Year 1926			21	7	0	1	5	0	9	1
Golden Valley County	1302									
5 Yr. Average			170	10	4	1	3	6	4	1
Year 1926			76	7	1	0	0	1	0	0
Rosebud County	3130									
5 Yr. Average			249	20	8	12	15	17	22	14
Year 1926			175	25	9	8	12	16	24	12
Dist. 15—Total 5 Yr. Av.			785	62	25	38	38	53	63	27
Dist. 15—Total 1926			467	67	17	29	39	45	73	20
No. 16—2 Judges	13518	6759								
Custer County	4505									

DISTRICTS	Registered vote	Vote per Judge	Civil & Crim- inal cases	Probate cases	Other cases	Liquor cases	Jury trials	Trials with- out Jury	Days Court with Jury	Pleas Guilty
5 Yr. Average			335	40	15	36	26	70	21	20
Year 1926			357	39	20	61	34	75	25	24
Carter County	1685									
5 Yr. Average			103	17	2	3	5	3	7	1
Year 1926			80	17	0	0	6	6	9	0
Fallon County	1813									
5 Yr. Average			140	18	2	9	6	3	6	5
Year 1926			99	19	4	3	5	0	4	6
Prairie County	1638									
5 Yr. Average			102	12	3	2	4	1	3	5
Year 1926			57	14	5	4	5	2	4	3
Garfield County	2385									
5 Yr. Average			129	24	2	1	2	6	4	2
Year 1926			69	22	2	2	3	7	3	1
Powder River County	1492									
5 Yr. Average			61	8	2	0	1	12	1	1
Year 1926			42	15	3	0	2	12	3	1
Dist. 16—Total 5 Yr. Av.			870	118	26	51	44	95	42	34
Dist. 16—Total 1926			704	126	34	69	55	112	48	35
No. 17—1 Judge	7833	7833								
Phillips County	3578									
5 Yr. Average			270	31	0	9	7	5	9	13
Year 1926			189	31	0	6	7	0	5	6
Valley County	4255									
5 Yr. Average			312	35	6	8	7	5	23	11
Year 1926			299	40	7	8	6	4	24	59
Dist. 17—Total 5 Yr. Av.			582	66	6	17	14	7	32	24
Dist. 17—Total 1926			488	71	7	14	13	4	29	65
No. 18—1 Judge	8754	8754								
Hill County	4786									
5 Yr. Average			603	34	17	56	0	0	0	0
Year 1926			405	43	15	55	0	0	0	0
Liberty County	1040									
5 Yr. Average			158	9	5	1	1	0	1	0
Year 1926			115	8	4	0	0	0	0	0
Blaine County	2938									
5 Yr. Average			300	29	3	10	6	17	10	9
Year 1926			181	34	1	13	10	21	12	14
Dist. 18—Total 5 Yr. Av.			1061	72	25	67	7	17	10	9
Dist. 18—Total 1926			701	72	20	70	10	21	12	14
No. 19—1 Judge	10150	10150								
Pondera County	2583									
5 Yr. Average			260	16	1	12	5	134	12	6
Year 1926			209	19	0	7	7	67	14	13
Glacier County	2395									
5 Yr. Average			147	14	3	0	8	8	9	2
Year 1926			117	14	5	0	0	6	0	3
Toole County	2787									
5 Yr. Average			463	30	2	24	6	9	27	10
Year 1926			376	31	3	10	6	10	18	2
Teton County	2385									
5 Yr. Average		Est.	260	16	1	12	5	134	12	6
Year 1926		Est.	209	19	0	7	7	67	14	3
Dist. 19—Total 5 Yr. Av.			1130	76	7	48	24	285	60	24

DISTRICTS	Registered vote	Vote per Judge	Civil & Crim- inal cases	Probate cases	Other cases	Liquor cases	Jury trials	Trials with- out Jury	Days Court with Jury	Pleas Guilty
Dist. 19—Total 1926			911	83	8	24	20	150	46	31
No. 20—1 Judge	9220	9220								
Roosevelt County	3461									
5 Yr. Average			242	40	3	8	9	8	15	2
Year 1926			174	45	3	17	10	3	32	3
Daniels County	2131									
5 Yr. Average			191	8	1	34	1	47	8	40
Year 1926			171	15	0	53	4	75	17	46
Sheridan County	3628									
5 Yr. Average			285	25	12	15	7	32	12	5
Year 1926			223	31	15	4	10	30	21	8
Dist. 20—Total 5 Yr. Av.....			718	73	16	57	17	87	35	47
Dist. 20—Total 1926.....			568	91	18	74	24	108	70	57

EXHIBIT B

5 Year Average—1922-26 by Districts as Proposed in H. B. No. 284, per Judge		Actions Filed	July Trials	Trials Without July		Days-Court With Jury	No. Liquor Cases	Av. Days Per Jury Trial
Av. Per Judge								
District and County Five Year Average 1922-26								
Dist. 1.	Lewis and Clark.....	670	26	80	144	14	5	7-13
Dist. 2.	Silver Bow	518	35	47	75	23	2	1-7
Dist. 3.	Deer Lodge, Powell and Granite....	492	39	97	70	33	1	31-39
Dist. 4.	Missoula, Ravalli, Lake, Mineral, and Sanders	632	42	25	75	60	1	11-14
Dist. 5.	Beaverhead, Madison, Jefferson....	390	28	83	68	54	2	3-7
Dist. 6.	Park, Gallatin, Sweet Grass, Stillwater	1090	49	134	96	72	1	47-49
Dist. 7.	Dawson, Richland, McCone and Wibaux	800	26	17	28	27	1	1-13
Dist. 8.	Cascade	580	40	72	31	42		31-40
Dist. 9.	Glacier, Toole, Pondera, Teton.....	1213	24	285	60	48	2	1-2
Dist. 10.	Fergus, Judith Basin and Pe- troleum	641	15	10	71	16	4	11-15
Dist. 11.	Flathead, Lincoln	530	26	86	42	41	1	8-13
Dist. 12.	Liberty, Hill, Blaine, Chouteau.....	1746	14	35	28	72	2	
Dist. 13.	Yellowstone, Carbon, Big Horn Treasure	682	31	147	49	60	1	18-31
Dist. 14.	Broadwater, Meagher, Wheatland, Golden Valley, Musselshell.....	919	46	87	97	37	2	5-46
Dist. 15.	Daniels, Sheridan, Roosevelt.....	807	17	87	35	57	2	1-17
Dist. 16.	Custer, Carter, Fallon, Garfield, Prairie, Powder River, Rosebud.....	742	37	68	42	37	1	1-7
Dist. 17.	Valley, Phillips	654	14	7	32	8	2	2-7

EXHIBIT C

Present Law Record Business by District—Per Judge			Actions Filed	Cases Tried by Jury	Cases Tried Without Jury	Days Court With Jury	No. Liquor Cases	
Dist. No. 1	(X)	Per Judge.....	335	13	40	77	7	Dist. has 2 Judges
Dist. No. 2		Per Judge.....	518	35	47	75	23	Dist. has 3 Judges
Dist. No. 3		Per Judge.....	492	39	97	70	33	
Dist. No. 4	(X)	Per Judge.....	422	27	16	49	40	Dist. has 3 Judges
Dist. No. 5	(X)	Per Judge.....	195	14	43	34	27	Dist. has 2 Judges
Dist. No. 6		Per Judge.....	682	32	126	57	51	
Dist. No. 7		Per Judge.....	800	26	17	28	27	
Dist. No. 8	(X)	Per Judge.....	580	40	72	31	42	Dist. has 2 Judges
Dist. No. 9		Per Judge.....	408	17	8	39	21	
Dist. No. 10	(X)	Per Judge.....	641	15	10	71	16	Dist. has 2 Judges
Dist. No. 11		Per Judge.....	530	26	86	42	41	
Dist. No. 12		Per Judge.....	588	7	18	18	5	
Dist. No. 13	(X)	Per Judge.....	776	34	147	51	65	Dist. has 2 Judges
Dist. No. 14		Per Judge.....	378	25	52	61	12	
Dist. No. 15		Per Judge.....	872	38	53	63	38	
Dist. No. 16	(X)	Per Judge.....	465	22	51	20	25	Dist. has 2 Judges
Dist. No. 17		Per Judge.....	654	14	7	32	8	
Dist. No. 18		Per Judge.....	1158	7	17	10	67	
Dist. No. 19.		Per Judge.....	1213	24	285	60	48	
Dist. No. 20		Per Judge.....	807	17	87	35	57	

Moved by Sample, duly seconded and carried, that the report be adopted, and spread in full on the Journal, including exhibits.

The Speaker appointed the following conference committee for consideration of Senate amendments to House Bill No. 88: Donaldson of Chouteau, Logan of Yellowstone, Mason of Lewis and Clark.

The Speaker appointed the following conference committee for consideration of Senate amendments to House Bill No. 164: Green of Dawson, Bricker of Judith Basin, Prescott of Missoula.

The Speaker appointed the following conference committee for consideration of Senate amendments to Sub. House Bill No. 313: Reed of Broadwater, Jones of Ravalli, Jones of Phillips.

The Speaker appointed the following conference committee for consideration of Senate amendments to House Bill No. 304: Knowles of Jefferson, Gustafson of Blaine, Lamb of Silver Bow.

There being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Moved by Bricker, duly seconded and carried, that the Enrolling Clerk be authorized to strike out the word "Financial", in line 2 of the title of the engrossed copy of House Bill No. 311, in order that the title conform with the bill as amended.

Moved by Bricker, duly seconded and carried, that the House recess subject to the call of the chair.

House resumed.

Mr. Speaker in the chair.

A committee from the Senate appeared and Senator Griffin read the following resolution:

Whereas, Articles of Impeachment have been presented at the bar of and filed with the Senate of the State of Montana by managers duly elected

by the House of Representatives of the Twentieth Legislative Assembly of the State of Montana, which Articles have been delivered to the President of the Senate, charging that one Charles T. Stewart, Secretary of State of the State of Montana, has been and is guilty of high crimes and misdemeanors and malfeasance in office; now, therefore,

Be It Resolved, that Monday the 21st day of March A. D. 1927, at 12 o'clock noon of said day be, and the same is hereby fixed as the time, and the bar of this Senate is the place for said accused to be and appear and make answer to said Articles of Impeachment; that a Citation be issued in the name of the "State of Montana" over the signature of the President of the Senate, attested by the Secretary, requiring said accused to appear and answer said articles at said time and place; and said Citation together with a copy of said Articles be served by the Sergeant-at-Arms or one of his assistants upon the accused forthwith, and

Be It Further Resolved, that the House of Representatives and the Governor be notified of this action of the Senate.

WUERTHNER."

There being no objections, House reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The following reports of select committees were received:

Helena, Montana, March 3, 1927.

President of the Senate and Speaker of the House:

Your conference committee on House Bill No. 110, introduced by the Appropriation Committee: A Bill for an Act entitled: An Act appropriating money for the operation and maintenance of certain of the Boards, Commissions and Departments of the State of Montana for the period beginning July 1, 1927, and ending June 30, 1929", respectfully report as follows:

That the House concur in amendment to Section 1, which reads as follows:

That all amendments to lines 10 and 11, page 2 of the original bill be stricken out and that the words and figures "\$5,580.00" be stricken out and that the words and figures "\$8,580.00" be inserted in lieu thereof.

That the Senate recede from their amendment which reads as follows: That said bill be further amended by striking out all of lines 15 to 26 inclusive, on page 2, of the original bill and that the following words and figures be inserted after the word "follows" in line 14 of the original bill, "\$51,000.00".

That the Senate recede from its amendment for Normal Training in High Schools, which amendment reads as follows:

That the words and figures in lines 30 and 31, page 2 of the original bill "\$17,500.00" be stricken out and inserting in lieu thereof the words and figures "\$19,000.00".

That the Senate recede from its amendment for the Board of Examiners which amendment reads as follows:

That the said bill be further amended by striking out the words and figures "\$1,450.00" at lines 12 and 13, page 3 of the original bill and inserting in lieu thereof the words and figures "\$2,450.00".

That the Senate and House concur in making a new amendment, which amendment reads as follows:

And that the said bill be further amended, by adding after line 13, page 3, of the original bill, "for the printing of books as provided in Chapter 108 of the Laws of 1925, "\$750.00".

That the House concur in Senate amendment for the State Land Office which reads as follows:

That the said bill be further amended by striking out the words and figures "\$12,500.00" at lines 25 and 26 of the original bill and inserting in lieu thereof the words and figures "\$15,000.00" and that the words and

figures "\$4,300.00" at lines 29 and 30, page 3 of the original bill be stricken out and the words and figures "\$5,000.00" be inserted in lieu thereof.

That the House concur in the amendment of the Committee of the Whole of the Senate, which amendment reads as follows:

That H. B. No. 110 be amended by adding the following at the end of line 3, page 4, of the original bill:

(1). For the payment of salaries and expenses of the Livestock Commission to be paid from the Livestock Commission fund, so much thereof as may be available.

For the payment of salary of one clerk to the Livestock Commission to be paid from the Bounty Fund \$1800.00.

For the payment of claims to be paid from the bounty fund, so much thereof as may be necessary.

For the payment of estray claims, to be paid from the estray fund, so much thereof as may be necessary.

That the House concur in the Senate amendment for the Railroad Commissioners, which amendment reads as follows:

That the said bill be further amended by striking out the words and figures "\$2,100.00" at line 29, of page 4 of the original bill and that the words and figures "\$2,500.00" be inserted in lieu thereof.

That the House concur in the Senate amendment, for the Oil and Gas Division, which amendment reads as follows:

That the said bill be further amended by striking out the words and figures "\$9,300.00" at line 15, page 5, of the original bill and inserting in lieu thereof the words and figures "\$12,000.00".

That the House concur in amendment which reads as follows:

That said bill be further amended at line 17, page 5, of the original bill by striking out the words and figures "\$3,000.00" and inserting in lieu thereof the words and figures "Not to exceed \$3,300.00".

That the House concur in the amendment which reads as follows:

That the said bill be amended by striking out the words and figures in line 18, page 5, of the original bill and inserting in lieu thereof the following: "Salary of three field men at \$2400.00 each, \$7200.00".

That the House concur in the amendment which reads as follows:

Amend at line 20, page 5, of the original bill by striking out the words and figures "\$3,000.00" and inserting in lieu thereof the words and figures "\$4,750.00".

Section 2. That the House concur in amendment which reads as follows: That all amendments heretofore made at lines 21 and 22, page 7, of the original bill be stricken out and that the words and figures "\$5,580.00" be stricken out and the words and figures "\$8,580.00" be inserted in lieu thereof.

That the Senate recede in the amendment which reads as follows:

"Amend by striking out all of lines 26, 27, 28, 29, 30, 31 and 32 of page 7 of the original bill and amend by striking out all of lines 1, 2, 3, 4, 5, of page 8 of the original bill and inserting after the word "follows" at line 25, the words and figures "\$51,00.00".

That the Senate recede in its amendment for Normal Training in High Schools, which amendment reads as follows:

Amend further at lines 9 and 10 of page 8, of the original bill by striking out the words and figures "\$17,500.00" and inserting in lieu thereof the words and figures "\$19,000.00".

That the Senate recede from its amendment for the Board of Examiners, which amendment reads as follows:

That House Bill No. 110 be further amended by striking out at lines 22 and 23, page 8 of the original bill the words and figures "\$1,450.00" and inserting in lieu thereof the words and figures "\$2,450.00".

That the House concur in amendment which reads as follows: Amend at line 32, page 8 and line 1, page 9, by striking out the words and figures "\$12,500.00" and inserting in lieu thereof the words and figures "\$15,000.00".

That the House concur in amendment, which reads as follows:

Amend at lines 4 and 5, page 9 of the original bill by striking out the words and figures "\$4,300.00" and inserting in lieu thereof the words and figures "\$5,000.00".

That the House concur in the amendment made by the Committee of the Whole of the Senate, which reads as follows:

Amend by adding the following at the end of line 10, page 9 of the original bill:

(I). "For the payment of salaries and expenses of the Livestock Commission to be paid from the Livestock Commission fund, so much thereof as may be available. For the payment of salary of one clerk to the Livestock Commission, to be paid from the bounty fund, \$1800.00.

For the payment of claims to be paid from the bounty fund, so much thereof as may be necessary.

For the payment of stray claims to be paid from the stray fund, so much as may be necessary.

That the House concur in amendment which reads as follows: That the said House Bill No. 110 be further amended at lines 29, page 10, of the original bill by striking out the words and figures "\$2,100.00" and inserting in lieu thereof the words and figures "\$2,500.00".

That the House concur in the amendment which reads as follows:

Amend at line 17, page 11 of the original bill by striking out the words and figures "\$9,300." and inserting in lieu the words and figures "\$12000.00".

That the House concur in the amendment which reads as follows:

Amend at line 19, page 11, of the original bill by striking out the words and figures "\$3000.00" and inserting in lieu thereof the words and figures "not to exceed \$3,300.00".

That the House concur in the amendment which reads as follows:

Amend by striking out the words and figures at line 20, page 11, of the original bill and inserting in lieu thereof the following "Salary of three field men at \$2400.00 each, \$7200.00".

That the House concur in the amendment which reads as follows: Amend by striking out the words and figures "\$3,000.00" at line 22, page 11, of the original bill, and inserting in lieu thereof the words and figures "\$4,000.00".

That the House concur in amendment for Section 1, for the Board of Examiners for Coal Miners, which reads as follows:

That the said bill be further amended by striking out lines 14, 15 and 16, on page 3, of the original bill.

Senate:

DOWLING.

SIBBERT.

WHEELER.

House:

GRANT REED.

ROBT. LEAVENS.

HUGH M. JONES."

On roll call, the conference committee report was adopted by the following vote:

Ayes: Abrahamson, Arnold, Ballard, Barry, Besancon, Bricker, Brown, Budas, Burke, Chatham, Cheadle, Clarke, Clausen, Cooney, Dellwo, Doran,

Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Green (Dawson), Hagerty, Harris, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Larson, Leavens, Lillis, Logan, McCleary, McLeod, Marshall, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Murphy, Nagle, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample, Shields, Sparling, Stambaugh, Steeves, Sutton, Thorburn, Throssel, Tierney, Troy, Waite, Warren, Westlake, White, Willard, Woodcock, Mr. Speaker. Total—73.

Noes: Goodwin, Hardcastle, Plumer.. Total—3.

Absent and not voting: Adair, Akofer, Benjamin, Benson, Bonine, Bretzke, Burns, Cavanaugh, Curran, Darlington, Donaldson, Gustafson, Hodgskiss, Jones (Phillips), Knight, Knowles, Kroman, Lamb, Leavitt, Lowry, Mason, Merriitt, Moss, Nelson, Ryder, Tinsley. Total—26.

Helena, Montana, March 3, 1927.

President of the Senate and Speaker of the House:

Your Conference Committee on House Bill No. 161, introduced by Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate funds for the operation and maintenance of certain of the State's Institutions for the period beginning July 1, 1927, and ending June 30, 1929", respectfully report as follows:

That the House agrees to the increase for State Prison in Sections 1 and 2 in lines 18 and 19 of printed bill, amending by striking out the words and figures Eighty-seven Thousand One Hundred Dollars (\$87,100.00) and inserting in lieu thereof the words and figures Ninety-seven Thousand One Hundred Dollars (\$97,100.00).

That the House agrees to Senate amendment of Sections 1 and 2, pages 2 and 5 of printed bill in lines 55 and 56, by striking out the words and figures Thirty-nine Thousand Four Hundred Fifty Dollars (\$39,450.00) and inserting in lieu thereof the words and figures Forty-one Thousand Four Hundred Fifty Dollars (\$41,450.00). That the Senate agrees to recede from Senate amendment for Vocational School for Girls in line 83 of printed bill.

That the Senate agrees to recede from all itemization amendments. That the Senate and House concur in making a new amendment for Section 1 and 2 on pages 3 and 7 of printed bill, by striking out in Section 1, on page 3 in sub-section 3, in lines 98 and 99 the words and figures One Hundred Six Thousand Five Hundred Dollars (\$106,500.00) and inserting in lieu thereof the words and figures One Hundred Forty-nine Thousand Seven Hundred Dollars (\$149,700.00)". On page 7 of printed bill amend by striking out in sub-section 3, in lines 96 and 97 the words and figures One Hundred Sixty-one Thousand Five Hundred Dollars (\$161,500.00) and inserting in lieu thereof the words and figures One Hundred Forty-nine Thousand Seven Hundred Dollars (\$149,700.00).

That the House agrees to Senate amendment in Section 1, by striking out in line 113 and 114 of the printed bill the words and figures Twenty-five Thousand Four Hundred Fifteen Dollars and inserting in lieu thereof the words and figures Twenty-nine Thousand Four Hundred Fifteen Dollars (\$29,415.00). By striking out in lines 115 and 116 of the printed bill the words and figures Four Thousand Four Hundred Seventy Dollars (\$4,470.00) and inserting in lieu thereof the words and figures Five Thousand Four Hundred Seventy Dollars (\$5,470.00).

By striking out in lines 117 and 118 of the printed bill the words and figures Sixty-nine Thousand Five Hundred Seventy-three Dollars (\$69,573.00) and inserting in lieu thereof the words and figures Eighty-one Thousand Five Hundred Seventy-three Dollars (\$81,573.00). By amending Section 2, on page 7 of the printed bill by striking out in lines 111 and 112 the words and figures Twenty-five Thousand Four Hundred Fifteen Dollars (\$25,415.00) and inserting in lieu thereof the words and figures Twenty-nine Thousand Four Hundred Fifteen Dollars (\$29,415.00). By striking out in lines 113 and 114 of the printed bill the words and figures

Four Thousand Four Hundred Seventy Dollars (\$4,470.00) and inserting in lieu thereof the words and figures Five Thousand Four Hundred Seventy Dollars (\$5,470.00). By striking out in lines 115 and 116 of the printed bill the words and figures Sixty-nine Thousand Five Hundred Seventy-three Dollars (\$69,573.00) and inserting in lieu thereof the words and figures Eighty-one Thousand Five Hundred Seventy-three Dollars (\$81,573.00).

Senate Members:

WALTER D. KEMMIS.
F. W. DELANEY.
H. C. SMITH.

House Members:

WESTLAKE.
GREEN of Dawson.
KNOWLES."

Moved by Johnson, duly seconded and carried, that the report be not adopted and a new conference committee be appointed by the Speaker.

Whereupon the Speaker appointed the following conference committee for consideration of Senate amendments to House Bill No. 161: Clarke of Rosebud, Erickson of Golden Valley, Hagerty of Glacier.

"We, your Conference Committee, having had under consideration House Bill No. 50, respectfully report as follows:

The Senate recedes from its amendment to Section 34.

The Senate recedes striking out Section 59 and the Conference Committee amends line 5 of the engrossed bill by striking out the words and figures "Six Thousand Dollars (\$6,000.00)" and inserting in lieu thereof the words and figures "Five Thousand Four Hundred Dollars (\$5,400.00)".

The House concedes Senate amendment to Section 65 except that the Conference Committee strikes out the last sentence of the Senate amendment.

The House concedes all of Senate amendment to Section 73 except the Conference Committee recommends striking out Senate amendment relating to irrigation districts and free county high schools.

The House concedes Senate amendment to Section 85 except that the Conference Committee strikes out the last sentence of the Senate amendment.

The House concedes Senate amendment to Section 90.

Section 139. The Senate recedes the committee amendment. The House and Senate concur in striking out all of Section 139, and inserting in lieu thereof the following: "Banks now in process of voluntary liquidation under the terms of Section 6109-E, Chapter 90 of the Session Laws of the Eighteenth Legislative Assembly 1923 may continue and complete liquidation of their assets; and Chapter 90, Section 6109-E, Laws of 1923, and each and every provision thereof shall continue in full force and effect for the purpose of enabling banks now in process of liquidation to complete and continue their liquidation in the manner now therein provided.

The House concedes all other Senate amendments to such House Bill No. 50.

JOHNSON.
LINN.
WALKER.

Senate.

WAITE.
BUDAS.
BALLARD.

House."

On roll call, the Conference Committee report was adopted by the following vote:

Ayes: Abrahamson, Ballard, Besancon, Budas, Burke, Clausen, Cooney, Curran, Darlinton, Dellwo, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Green (Fergus), Holton, Jameson, Johnson, Jones (Phillips), Jones (Ravalli), Jones (Cascade), Knight, Larson, Leavens, Leavitt, Lillis, McCleary, McLeod, Marshall, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Murphy, Nelstead, Nicholson, Plank, Rockwood, Rorvik, Sample, Sparling, Stambaugh, Steeves, Sutton, Tierney, Tinsley, Troy, Waite, Westlake, White, Willard, Mr. Speaker. Total—54.

Noes: Adair, Akofer, Barry, Brown, Burns, Cavanaugh, Chatham, Fulsher, Goodwin, Hardcastle, Jensen, Kelly, Mason, Nagle, O'Day, Plumer, Rife, Rognlien, Throssel, Warren, Woodcock. Total—21.

Absent and not voting: Arnold, Benjamin, Benson, Bonine, Bretzke, Bricker, Cheadle, Clarke, Dunn, Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Knowles, Kroman, Lamb, Logan, Lowry, Merritt, Mulholland, Nelson, Prescott, Reed, Ryder, Shields, Thorburn. Total—27.

Helena, Montana, March 3, 1927.

President of the Senate and Speaker of the House:

Your Conference Committee on House Bill No. 164, introduced by Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the operation and maintenance of the Department of Agriculture, Labor and Industry for the period beginning July 1, 1927, and ending June 30, 1929", respectfully report as follows:

That the House concur in Senate amendment to Section 1 as follows: In line 4, page 2 of the engrossed bill, by striking out the words and figures "\$8,450.00" and inserting in lieu thereof the words and figures "\$8,000.00".

That the Senate agrees to recede from its amendment to Section 1 line 7 on page 2 of the engrossed bill as follows: "Amend at line 7, page 2, by striking out the words and figures "\$2000.00" and inserting in lieu thereof the words and figures "\$1200.00".

That the House concur in Senate amendment to Section 1 as follows: "Amend at line 10, page 2, by striking out the words and figures "\$1000.00" in the engrossed bill and inserting in lieu thereof the words and figures "\$255.00".

That the Senate agrees to recede from its amendment to Section 1, line 15, page 2 of the engrossed bill the following: "Amend at line 15, page 2, of said bill by striking out the words and figures "\$11,000.00" and inserting in lieu thereof the words and figures "\$10,000.00".

That the House concur in Senate amendment to Section 2 as follows: In line 18, page 3 of the engrossed bill, by striking out the words and figures "\$8,450.00" and inserting in lieu thereof the words and figures "\$8,000.00".

That the Senate agrees to recede from its amendment to Section 2, in line 21, page 3 of the engrossed bill as follows: "Amend at line 21, page 2, by striking out the words and figures "\$2000.00" and inserting in lieu thereof the words and figures "\$1200.00".

That the House concur in Senate amendment to Section 2 as follows: "Amend at line 24, page 3, by striking out the words and figures \$1000.00" and inserting in lieu thereof the words and figures "\$255.00".

That the Senate agrees to recede from its amendment to Section 2, line 29, page 3, of the engrossed bill the following: "Amend at line 29, page 3, by striking out the words and figures "\$11,000.00" and inserting in lieu thereof the words and figures "\$10,000.00".

W. J. PAUL.

W. C. HENDERSON.

L. P. DONOVAN.

Senate.

GREEN of Dawson.

BRICKER of Judith Basin.

C. R. PRESCOTT.

House."

On roll call, the Conference Committee report was adopted by the following vote:

Ayes: Abrahamson, Akofer, Ballard, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Dunn, Erickson, Foot, Flachsenhar, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Hardcastle, Harris, Holton, Jameson, Jensen, Jones (Phillips), Jones (Cascade), Kelly, Knight, Knowles, Lamb, Larson, Leavens, Leavitt, Logan, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moulton, Mulholland, Nelstead, Nicholson, O'Day, Plank, Plumer, Prescott, Rife, Rockwood, Rognlien, Rorvik, Sparling, Sutton, Thorburn, Throssel, Tinsley, Waite, Warren, Westlake, White, Willard, Mr. Speaker. Total—73.

Noes: None.

Absent and not voting: Adair, Arnold, Benjamin, Benson, Bretzke, Chatham, Cheadle, Clarke, Hagerty, Hodgskiss, Johnson, Jones (Ravalli), Kroman, Lillis, Lowry, Merritt, Moss, Murphy, Nagle, Nelson, Reed, Ryder, Sample, Shields, Stambaugh, Steeves, Tierney, Troy, Woodcock. Total—29.

Moved by Knowles, duly seconded and carried, that the Conference Committee appointed for consideration of Senate amendments to House Bill No. 304 be excused and a new committee appointed, as they could not reach an agreement with the Senate.

Whereupon the Speaker appointed the following Conference Committee for consideration of Senate amendments to House Bill No. 304: Knowles of Jefferson, White of Richland, Tinsley of Madison.

At this time, Mr. Besancon asked that the following telegram be read and inserted in the Journal records:

"Albert Besancon, House of Representatives, Helena, Mont.:

Kindly express to the House of Representatives the thanks of myself and family for their action in passing the appropriation bill in my behalf.

MRS. ROBERT B. SMITH."

Helena, Montana, March 3, 1927.

"The President of the Senate and Speaker of the House of Representatives:

We your Joint Conference Committee, having had under consideration Senate amendments to House Bill No. 88, respectfully recommend as follows: That the House concur in the amendment to Section 1, line 1, page 3 which struck out the figures "\$2100" and inserted in lieu thereof the words and figures "Twenty-four Hundred Dollars (\$2400)", and that the bill be amended by striking out in line 31 of Section 1, page 2 of the engrossed bill the words and figures "Three Thousand Nine Hundred Dollars (\$3900)" and inserting in lieu thereof the words and figures "Four Thousand Two Hundred Dollars (\$4200)"; and that said bill be amended further by striking out in Section 2, line 8, on page 6 the words and figures "Three Thousand Nine Hundred Dollars (\$3900)" and inserting in lieu thereof the words and figures "Four Thousand Two Hundred Dollars (\$4200)" and by striking out in Section 2, line 10, page 6 the figures "\$2100" and inserting in lieu thereof the figures "\$2400".

The amendments recommended by this committee are necessary to make the total in Section 1 correspond with the amendment made by the Senate and the amendments to Section 2 are necessary to make the second year of the biennium agree with the first year.

Respectfully submitted,

Senate Committee:

STAGGS.
GARBER.
COWAN.

House Committee:

DONALDSON.
MASON.
LOGAN."

On roll call, the Conference Committee report was adopted by the following vote:

Ayes: Abrahamson, Ballard, Barry, Besancon, Bonine, Bricker, Budas, Burke, Burns, Cavanaugh, Cheadle, Clausen, Cooney, Curran, Darlington, Dellwo, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Goodwin, Green (Fergus), Green (Dawson), Gustafson, Harcastle, Holton, Jameson, Jensen, Jones (Phillips), Jones (Cascade), Kelly, Knight, Lamb, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, McLeod, Marshall, Mason, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Nelstead, Nicholson, Plank, Plumer, Prescott, Rife, Rorvik, Sample, Sparling, Steeves, Sutton, Throssel, Tinsley, Troy, Waite, Warren, White, Willard, Mr. Speaker. Total—68.

Noes: None.

Absent and not voting: Adair, Akofer, Arnold, Benjamin, Benson, Bretzke, Brown, Chatham, Clarke, Dunn, Fulsher, Hagerty, Harris, Hodgskiss, Johnson, Jones (Ravalli), Knowles, Kroman, Lowry, Merritt, Murphy, Nagle, Nelson, O'Day, Reed, Rockwood, Rognlien, Ryder, Shields, Stambaugh, Thorburn, Tierney, Westlake, Woodcock. Total—34.

The Speaker gave notice that he was about to sign Senate Bill No. 36, Senate Bill No. 171, Senate Bill No. 13, and thereupon signed said bills.

Moved by Reed, duly seconded and carried, that the Conference Committee appointed for consideration of Senate amendments to Sub. House Bill No. 313 be excused and another committee appointed in its place, as they could not reach an agreement with the committee from the Senate.

Whereupon the Speaker appointed the following Conference Committee for consideration of Senate amendments to Sub. House Bill No. 313: Burns of Blaine, Flachsenhar of Prairie, Mulholland of Silver Bow.

The Speaker gave notice that he was about to sign Senate Bill No. 126, Substitute Senate Bill No. 54, and thereupon signed said bills.

There being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

The following resolution was introduced by Bricker:

Helena, Montana, March 3, 1927.

"Mr. Speaker: Be It Resolved, That the Secretary of State make requisition to the Purchasing Agent for the printing and distribution of three hundred copies of the House Journal of the Twentieth Legislative Assembly, and that the Purchasing Agent enter into contract for the printing as provided for in the printing contracts entered into by the State for the printing and delivery of the House Journal, and that the Secretary of State be authorized to forward to each member of the House of the Twentieth Legislative Assembly one copy of the House Journal and one copy of the buckram bound Session Laws of the Twentieth Legislative Assembly, and that the cost of publication and delivery of the House Journal and the Session Laws be a proper charge against the incidental expense appropriation of the Twentieth Legislative Assembly.

BRICKER."

On motion of Bricker, the resolution was adopted.

Moved by Bricker, duly seconded and carried, that the House of Representatives consent that the Senate resolve itself into a court of impeachment for the trial of impeachment charges against Charles T. Stewart; that the House of Representatives consent to such recess as the Senate may desire from time to time until the conclusion of said trial.

Moved by Bricker, duly seconded and carried, that the House recess, subject to the call of the chair.

House resumed.

Mr. Speaker in the chair.

Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: 325, 327, 324, 307, 70, 326, 320.

WAITE, Chairman."

The Speaker gave notice that he was about to sign House Bill No. 325, House Bill No. 327, House Bill No. 324, House Bill No. 307, House Bill No. 70, House Bill No. 326, House Bill No. 320, and thereupon signed said bills.

There being no objections, House reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The following report of Select Committees was received:
"To the President of the Senate and to the Speaker of the House:

We, your Conference Committee, appointed to confer on Senate Bill No. 28, recommend that the Senate concur in the House amendments and as so amended that the bill do pass.

Senate:

McCORMICK.
KANE.
GOODMAN

House:

JOHNSON.
CLARKE.
EDWIN M. LAMB."

On roll call, the Conference Committee report was adopted by the following vote:

Ayes: Arnold, Bonine, Bricker, Budas, Burke, Cavanaugh, Clarke, Clausen, Curran, Darlington, Donaldson, Dougherty, Erickson, Flachsenhar, Green (Fergus), Green (Dawson), Gustafson, Hodgskiss, Holton, Johnson, Jameson, Jones (Phillips), Jones (Ravalli), Knight, Lamb, Larson, Leavens, Logan, McCleary, McLeod, Marshall, Merritt, Miller (Fergus), Nelson, Nicholson, Plank, Plumer, Reed, Rife, Rognlien, Rorvik, Ryder, Sparling, Stambaugh, Sutton, Throssel, Tinsley, Troy, Waite, White, Willard, Woodcock, Mr. Speaker. Total—53.

Noes: Akofer, Ballard, Benjamin, Barry, Brown, Chatham, Cooney, Doran, Foot, Hagerty, Hardcastle, Jensen, Jones (Cascade), Mason, Miller (Lincoln), Moulton, Mulholland, Murphy, O'Day, Prescott, Rockwood, Sample, Warren. Total—23.

Absent and not voting: Abrahamson, Adair, Benson, Besancon, Bretzke, Burns, Cheadle, Dellwo, Dunn, Fulsher, Goodwin, Harris, Kelly, Knowles, Kroman, Leavitt, Lillis, Lowry, Moss, Nagle, Nelstead, Shields, Steeves, Thorburn, Tierney, Westlake. Total—26.

At the request of Marshall, there being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

"Be It Resolved, That the House of Representatives of the Twentieth Legislative Assembly of the State of Montana, hereby express appreciation of the courtesy extended by the Helena Independent in placing copies of that newspaper on the desks of the members during this session. That the clerk be instructed to send a copy of this resolution to the Helena Independent and spread it on the minutes.

MARSHALL."

On motion of Marshall, the resolution was adopted.

The Speaker gave notice that he was about to sign House Bill No. 309, and thereupon signed the same.

There being no objections, House reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The following report of Select Committees was received:
 "To the President of the Senate and the Speaker of the House:

We, the Joint Committee, appointed to consider Senate amendments to House Bill No. 161, introduced by Appropriations Committee, having had under consideration the same, beg leave to report as follows:

The House agrees to concur in the Senate amendment to lines 27 and 28 on page 1 of the engrossed bill changing the words and figures of the State Prison appropriation from \$87,100 to \$97,100.

The House agrees to Senate amendment to the Tuberculosis Sanitarium contained on lines 28 and 29, page 2 of the engrossed bill changing the words and figures \$2,630 to \$9,630.

The House agrees to Senate amendment to the Orphans' Home appropriation contained on lines 11 and 12 of page 3 of the engrossed bill changing the words and figures \$39,450 to \$41,450.

The House agrees to Senate amendment to the appropriation for Vocational School for Girls contained on lines 14 and 15 of page 4 of the engrossed bill changing the words and figures from \$5,440 to \$7,440.

The House agrees to Senate amendment to the appropriation for the State Hospital for Insane contained on lines 4 and 5 of page 5 of the engrossed bill changing the words and figures \$106,500 to \$161,500, with the Conference Committee amendment added that said appropriation of \$161,500 shall be exclusive of the sum of \$55,000 now held in the revolving fund of said institution, which said sum of \$55,000 shall revert to the general fund of the State of Montana.

The Senate recedes from all amendments covering the appropriation for the Deaf and Blind School contained on lines 8 to 30 inclusive on page 5 of the engrossed bill.

The House agrees to Senate amendment for the State Prison for the second year of the biennium changing the words and figures contained in lines 19 and 20 of page 6 of the engrossed bill from \$87,100 to \$97,100.

The House agrees to Senate amendment for the Tuberculosis Sanitarium contained in lines 18 and 19 of page 7, of the engrossed bill for the second year of the biennium, changing the words and figures \$2,630 to \$9,630.

The House agrees to accept Senate amendment to the appropriation for the Orphans' Home contained in lines 1 and 2 of page 8 of the engrossed bill for the second year of the biennium changing the words and figures \$39,450 to \$41,450.

The House agrees to accept Senate amendment to the appropriation for the Vocational School for Girls contained in lines 31 and 32 of page 8 of the engrossed bill covering the appropriation for the second year of the biennium, changing the words and figures \$5440 to \$7,440.

The Senate recedes from all amendments to the appropriation for the Deaf and Blind School contained in lines 22 to lines 32 inclusive on page 9 of the engrossed bill and lines 1 to 8 inclusive of page 10 of the engrossed bill and as so amended, we recommend that said bill be concurred in.

STEWART.
 HAZELBAKER.
 CHURCH.

Senate.

CLARKE.
 HAGERTY.
 ERICKSON.

House."

On roll call, the Conference Committee report was adopted by the following vote:

Ayes: Arnold, Benjamin, Barry, Besancon, Bonine, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Dellwo, Donald-

son, Dunn, Erickson, Flachsenhar, Fulsher, Green (Dawson), Gustafson, Hagerty, Harris, Hodgskiss, Holton, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Kelly, Knowles, Lamb, Larson, Leavens, Logan, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Murphy, Nelstead, O'Day, Plank, Prescott, Rife, Rockwood, Rorvik, Ryder, Shields, Sparling, Stambaugh, Sutton, Thorburn, Tinsley, Waite, Warren, White, Willard, Mr. Speaker. Total—59.

Noes: None.

Absent and not voting: Abrahamson, Adair, Akofer, Ballard, Benson, Bretzke, Bricker, Brown, Burns, Cooney, Darlinton, Doran, Dougherty, Foot, Goodwin, Green (Fergus), Hardcastle, Jameson, Jones (Phillips), Knight, Kroman, Leavitt, Lillis, Lowry, McCleary, McLeod, Mason, Moss, Moulton, Mulholland, Nagle, Nelson, Nicholson, Plumer, Reed, Rognlien, Sample, Steeves, Thorburn, Tierney, Troy, Westlake, Woodcock. Total—43.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate concurred in House amendments to Senate Bill No. 131, on roll call.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, at the request of the House, the following Conference Committees were appointed to act with a like committee from the House:

- H. B. No. 110—Dowlin, Sibbert, Wheeler.
- H. B. No. 157—Cooper, Pauline, Towner.
- H. B. No. 161—Smith, Kemmis, Delaney.
- H. B. No. 311—Stewart, Survant, Green.
- H. B. No. 304—Ruffcorn, Walker, Cowan.
- Sub. H. B. No. 313—Kane, Taylor, Kennedy.
- H. B. No. 164—Paul, Henderson, Donovan.
- H. B. No. 88—Staggs, Cowan, Garber.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee on Senate Bill No. 126 reported that they were unable to agree; on motion, report adopted. On motion, the President appointed the following: Senators McCormick, Kane, Goodman, to act with a new Conference Committee from the House to consider amendments to Senate Bill No. 126.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, at the request of the House, the House having failed to adopt the Conference Committee report on House Bill No. 161, the following Senators were appointed by the President as a new Conference Committee on House Bill No. 161: Stewart, Church, Hazelbaker.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee on Senate Bill No. 50 reported that they were unable to agree. On motion report adopted. On motion, the President appointed the following Senators to act with a new con-

ference committee from the House to consider amendments to Senate Bill No. 50: Johnson, Linn, Walker.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Conference Committee reports on the following House Bills were this day presented and, on roll call, adopted:

H. B. No. 268; H. B. No. 196; H. B. No. 157; H. B. No. 311; H. B. No. 161; H. B. No. 64; H. B. No. 50; H. B. No. 110; H. B. No. 164; H. B. No. 88; H. B. No. 126.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee on House Bill No. 304 reported that they were unable to agree. On motion, report adopted. On motion, the President appointed the following Senators to act with a new conference committee from the House to consider amendments to H. B. No. 304: Smith, Dell, Paul.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee on Sub. H. B. No. 313 reported that they were unable to agree. On motion, report adopted. On motion, the President appointed the following Senators to act with a new Conference Committee from the House to consider amendments to Sub. H. B. No. 313: Paul, Duncan, Hazelbaker.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Conference Committee report on Senate Bill No. 28 was this day presented, and, on roll call, adopted.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the nomination of His Excellency, the Governor, of Charles A. Whipple to be Secretary of State until the acquittal of C. T. Stewart or, in case of his removal, until the vacancy is filled at the next general election to be held in the State of Montana, was moved for concurrence. Motion did not pass.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee, having had under consideration Senate amendments to substitute for House Bill No. 313, report as follows: On roll call, the report was adopted:

1. That Senate recede from all amendments:

2. That Section 2 be amended by inserting after the word "Montana" the following: "for the year beginning July 1, 1927, and ending June 30, 1928";

3. By amending Section 4 of said bill by inserting after the word "Montana" the following: "for the year beginning July 1, 1928, and ending June 30, 1929"; and as amended, it be concurred in.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following resolution, relating to Articles of Impeachment of C. T. Stewart, was, on roll call adopted:

RESOLUTION

Whereas, Articles of Impeachment have been presented at the bar and filed with the Senate of the State of Montana by managers duly elected by the House of Representatives of the Twentieth Legislative Assembly of the State of Montana, which articles have been delivered to the President of the Senate, charging that one Charles T. Stewart, Secretary of State of the State of Montana, has been and is guilty of high crimes and misdemeanors and malfeasance in office; now, therefore,

Be It Resolved. That Monday, the 21st day of March A. D. 1927, at 12 o'clock noon of said day be, and the same is hereby fixed as the time, and the bar of this Senate is the place for said accused to be and appear and make answer to said Articles of Impeachment; that a Citation be issued in the name of the "State of Montana" over the signature of the President of the Senate, attested by the Secretary, requiring said accused to appear and answer said articles at said time and place; and said Citation together with a copy of said articles be served by the Sergeant-at-Arms or one of his assistants upon the accused forthwith, and,

Be It Further Resolved, That the House of Representatives and the Governor be notified of this action of the Senate.

WUERTHNER."

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following resolution was, on motion, adopted:

"Mr. President: Whereas, The Senate of the Twentieth Legislative Assembly of the State of Montana, has been authorized to sit as a Court of Impeachment, in the case of the State of Montana, versus Charles T. Stewart;

Be It Resolved, That the Secretary of State be and the same is hereby directed to make requisition on the Purchasing Agent for the furnishing of 200 copies of the proceedings of the court for the trial of impeachment of Charles T. Stewart, and that the Purchasing Agent contract for the printing and binding of the same as provided for in the agreement for State Printing, and that the Secretary of State be, and is hereby directed to forward a copy of the proceedings to each member of the Court of Impeachment and to the members of the House of Representatives of the Twentieth Legislative Assembly, and that the costs of publication and delivery be a proper charge against the appropriation made for the expense of the trial of the Articles of Impeachment preferred against C. T. Stewart.

(Signed): GRIFFIN.

Respectfully,

J. F. CONE, Secretary of Senate."

There being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

The following resolutions were at this time presented:

"Be It Resolved, That in behalf of the ladies of the members of the Assembly we wish to thank the ladies of Helena for their many kindnesses during the session of the Twentieth Legislative Assembly and the people of Helena generally for hospitalities extended to the members and their families.

WILLARD."

On motion of Willard, the resolution was adopted.

Be It Resolved, by the Twentieth Legislative Assembly, That the payment of one day's pay be authorized to employees hereinafter mentioned, to be effective at the close of the session of the Twentieth Assembly.

The resolution to apply to all employees working the last day of the session.

Be It Further Resolved, That Albert Tovey be employed for three days for janitor work after the close of the session.

Resolved, That the Chief Clerk of the House be authorized to certify such payroll to the State Auditor for payment from the appropriation for incidental expenses of the House of Representatives, Twentieth Assembly.

RYDER, Chairman,
Employment Committee."

On motion of Ryder, the resolution was adopted.

"Be It Resolved, by the Twentieth Legislative Assembly, That Hazel Van Landingham be employed for seven days at the close of the Twentieth Session, at Five Dollars (\$5.00) per day.

Resolved, That the Chief Clerk of the House be authorized to certify such payroll to the State Auditor for payment from the appropriation for incidental expenses for the House of Representatives, Twentieth Assembly.

RYDER, Chairman,
Employment Committee."

On motion of Ryder, the resolution was adopted.

Moved by Bricker, duly seconded and carried, that the House of Representatives authorize the Board of Managers of the Twentieth Legislative Assembly in the Charles T. Stewart Impeachment proceedings to file supplementary Articles of Impeachment in the above proceedings as they may deem proper and advisable, and that the said supplementary articles as they may be filed, shall be under the same authority as if they had been filed, and adopted during the sitting of this Assembly.

The Enrolling Committee reported as follows:

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 162, 205, 328, 322.

WAITE, Chairman."

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill No. 4.

MERRITT, Vice-Chairman."

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 164, 311.

WAITE, Chairman."

Moved by Knowles, duly seconded and carried, that the Conference Committee appointed for consideration of Senate amendments to House Bill No. 304 be discharged, and a new committee appointed, as they could not reach an agreement.

Whereupon the Speaker appointed the following Conference Committee for consideration of Senate amendments to House Bill No. 304: Arnold of Stillwater, Jones of Ravalli, Kelly of Silver Bow.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

The following communications were received from the Senate:

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Conference Committee, appointed to confer with a like Committee of the House on amendments to House Bill No. 304, reports as follows: That they are unable to agree.

On motion, the President appointed the following committee to confer with a new committee from the House on H. B. No. 304: McCabe, Staggs, Richardson.

Respectfully,
J. F. CONE, Secretary of Senate."

MOTIONS AND RESOLUTIONS

Moved by Jones of Ravalli, duly seconded and carried, that the Conference Committee appointed for consideration of Senate amendments to House Bill No. 304 be excused and a new committee appointed, as they could not reach an agreement with the committee from the Senate.

Whereupon the Speaker appointed the following new conference committee on House Bill No. 304: Harris of Meagher, Bricker of Judith Basin, Besancon of Missoula.

The Speaker gave notice that he was about to sign House Bills Nos. 328, 162, 322, 205, 311, 164, 4, and thereupon signed said bills.

There being no objections, House reverted to Order of Business No. 7.

CONSIDERATION OF MESSAGES FROM THE SENATE

The following communication was received from the Senate:

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Conference Committee, appointed to confer with a like committee from the House on amendments to House Bill No. 304, report that they are unable to agree. On motion, the President appointed the following committee to confer with a new committee from the House on H. B. No. 304: McQuitty, Staggs, Henderson.

Respectfully,
J. F. CONE, Secretary of Senate."

Moved by Nagle, duly seconded and carried, that the House recess, subject to the call of the chair.

House resumed.

Mr. Speaker in the chair.

There being no objections, House reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

The following reports of Select Committees were received:

"Mr. Speaker: We, your Conference Committee, appointed to meet with a like committee from the Senate, having had under consideration Senate amendments to House Bill No. 304, beg to report as follows:

That the Senate recede from all amendments to House Bill No. 304.

Attest for the Senate:

McQUITTY.
RICHARDSON.
STAGG.

For the House:

HARRIS.
BESANCON.
BRICKER."

On roll call, the report was adopted by the following vote:

Ayes: Arnold, Barry, Besancon, Bonine, Bricker, Brown, Budas, Burke, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Curran, Darlington, Dellwo, Doran, Dougherty, Erickson, Fulsher, Goodwin, Green (Fergus), Green (Dawson), Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Knowles, Larson, Leavens, Leavitt, Lillis, Logan, McCleary, Mason, Miller (Fergus), Miller (Lincoln), Moss, Mulholland, Murphy, Nelstead, Nicholson, O'Day, Prescott, Reed,

Rife, Rockwood, Rognlien, Rorvik, Sample, Sparling, Sutton, Tierney, Waite, White, Willard, Mr. Speaker. Total—62.

Noes: None.

Absent and not voting: Abrahamson, Adair, Akofer, Ballard, Benjamin, Benson, Bretzke, Burns, Cooney, Donaldson, Dunn, Foot, Flachsenhar, Gustafson, Jameson, Jones (Phillips), Kelly, Knight, Kroman, Lamb, Lowry, McLeod, Marshall, Merritt, Moulton, Nagle, Nelson, Plank, Plumer, Ryder, Shields, Stambaugh, Steeves, Thorburn, Throssel, Tinsley, Troy, Warren, Westlake, Woodcock. Total—40.

“Mr. President of the Senate and Mr. Speaker of the House of Representatives:

We, your Joint Conference Committee, having had under consideration Senate amendments to Substitute for House Bill No. 313, respectfully report as follows:

1. That Senate recede from all amendments;
2. That Section 2 be amended by inserting after the word “Montana” the following: “for the year beginning July 1, 1927, and ending June 30, 1928”;
3. By amending Section 4 of said bill by inserting after the word “Montana” the following: “for the year beginning July 1, 1928, and ending June 30, 1929”, and as so amended, that the bill be approved.

Senate:

W. J. PAUL.
HAZELBAKER.
DUNCAN.

House:

BURNS.
FLACHSENHAR.
MULHOLLAND.”

On roll call, the report was adopted by the following vote:

Ayes: Abrahamson, Adair, Akofer, Arnold, Ballard, Besancon, Bonine, Bricker, Brown, Budas, Burke, Burns, Cavanaugh, Chatham, Cheadle, Clarke, Clausen, Darlinton, Dellwo, Donaldson, Doran, Dougherty, Erickson, Foot, Flachsenhar, Fulsher, Green (Fergus), Green (Dawson), Gustafson, Hagerty, Hardcastle, Harris, Hodgskiss, Holton, Jameson, Jensen, Johnson, Jones (Ravalli), Jones (Cascade), Knowles, Lamb, Larson, Leavens, Lillis, McCleary, McLeod, Marshall, Merritt, Miller (Fergus), Miller (Lincoln), Moss, Moulton, Mulholland, Nelson, Nelstead, Nicholson, O'Day, Plank, Prescott, Reed, Rife, Rockwood, Rognlien, Rorvik, Sample Sparling, Stambaugh, Sutton, Throssel, Tierney, Warren, White, Willard, Mr. Speaker. Total—74.

Noes: Goodwin. Total—1.

Absent and not voting: Benjamin, Benson, Barry, Bretzke, Cooney, Curran, Dunn, Jones (Phillips), Kelly, Knight, Kroman, Leavitt, Logan, Lowry, Mason, Murphy, Nagle, Plumer, Ryder, Shields, Steeves, Thorburn, Tinsley, Troy, Waite, Westlake, Woodcock. Total—27.

The Speaker gave notice that he was about to sign Senate Bill No. 28, and thereupon signed the same.

There being no objections House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES

The Enrolling Committee reported as follows:

“Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 50, 64, 88, 110, 157, 161, 186, 304, Sub. H. B. 313.

WAITE, Chairman.”

There being no objections, House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

The following resolutions were introduced:

"Be It Resolved, by the Twentieth Legislative Assembly, That the payment of three days' pay be authorized to employees hereinafter mentioned, to be effective at the close of the session of the Twentieth Assembly:

Deloras Milkwick, Margaret Shannon, Laura Winkler, Minni Milligen, Hazel Van Landingham, Reid Lanway, Ernest Michaelson.

Resolved, That the Chief Clerk of the House be authorized to certify such payroll to the State Auditor for payment from the appropriation for incidental expenses of the House of Representatives, Twentieth Assembly.

RYDER, Chairman,
Employment Committee."

On motion of Troy, the resolution was adopted.

"Be It Resolved, by the Twentieth Legislative Assembly, That the payment of one day's pay be authorized to employees hereinafter mentioned, to be effective at the close of the session of the Twentieth Assembly.

Laura Winkler, Amelia Sherrer, Susan L. Rossman, Clara Flynn, Mrs. Birley, Albert Tovey, Marion Lytel, Gladys Olson, Alice Pomroy, Lavina D'Autremont, Nellie Sturman, Lethia O'Neill, Mary Boskiss, Luella Watson, Beulah LaMere, Ernest Michaelson, Geo. J. Gelsing, Jean Mansing, Mary, Fineran, Juel Brown, Mrs. Hoagland, Beulah Dittmer, Reid Lanway, Elizabeth Drake, Nell Sullivan, Lillian Brusleton, Margaret Shannon, Sellie Mellen, Lelia Lingshire, Minni Millegin, Lenora Carney, Catherine Bell, Hazel Van Landingham, Minnie Schneider, Deloras Milkwick, Pearl Hunter, Margaret Moore, A. A. Pelletier, H. C. Cook, E. Marion Lytle, Geo. J. Gelsing, Lea Marston, Amanda Fasel, Marion F. Peters, Henry Delaney, Amanda Packer.

Resolved, That the Chief Clerk of the House be authorized to certify such payroll to the State Auditor for payment from the appropriation for incidental expenses of the House of Representatives, Twentieth Assembly.

RYDER, Chairman,
Employment Committee."

On motion of Troy, the resolution was adopted.

The Speaker gave notice that he was about to sign House Bills Nos. 186, 157, 110, 64, 161, 88, 304, substitute H. B. No. 313, House Bill No. 50, and thereupon signed said bills.

Moved by Bricker, duly seconded and carried, that the Speaker appoint a committee of three members from the House to notify the Honorable Senate, that the House of Representatives of the Twentieth Legislative Assembly of the State of Montana, having completed its work, is about to adjourn sine die.

Moved by Bricker, duly seconded and carried, that the Speaker appoint a committee of three members from the House to notify His Excellency the Governor that the House of Representatives of the Twentieth Legislative Assembly of the State of Montana, having completed its work is about to adjourn sine die.

The Speaker appointed the following committees:

To notify the Governor:

CAVANAUGH of Silver Bow.
NELSTEAD of Carter.
BURKE of Deer Lodge.

To notify the Senate:

MARSHALL of Missoula.
NELSON of Phillips.
MILLER of Lincoln.

The committee from the Senate appeared and notified the House that the Honorable Senate had completed its labors and is ready to adjourn sine die.

CONSIDERATION OF MESSAGES FROM THE SENATE

The following communications were received from the Senate and read:

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion was duly made, seconded and carried: By Paul, That the Senate grant its consent to the House to adjourn sine die.

Respectfully,

J. F. CONE, Secretary of Senate."

Helena, Montana, March 3, 1927.

"Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following resolution was, on motion, adopted:

"Mr. President: Whereas, Articles of Impeachment have been presented to the Senate and filed with the Secretary thereof by the House of Representatives by and through its Board of Managers, charging one C. T. Stewart, Secretary of State of the State of Montana, with high crimes and misdemeanors and malfeasance in office and requesting the trial thereof, and

Whereas, It becomes necessary for the Senate to remain in session as a Court of Impeachment to hear, try and determine said charges;

Now Therefore, The Senate does hereby adjourn as a Legislative Body sine die save and except that the Senate does hereby resolve itself into a Court of Impeachment to hear, try and determine the said charges against th said C. T. Stewart, and as said Court of Impeachment does hereby recess until twelve o'clock noon, March 21st, 1927.

Respectfully,

J. F. CONE, Secretary of Senate."

The Journal Committee reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the sixtieth legislative day, find the same to be correct.

G. W. DARLINTON, Chairman."

On motion of Darlington, report adopted.

On motion of Besancon, duly seconded and carried, the following "Farewell", composed by Miles J. Cavanaugh, was made a part of the record:

FAREWELLS

Saying good-bye to a hundred men
Whom you've worked with for sixty days;
Bidding God-speed to each and all as they go their several ways.

There's a catch in the heart as you shake
Each hand of those well-meaning human men,
Who have done their best in those days of trial,
Some you know you'll not meet again—
There's an ache in the heart and tears well up
And we know a parting pain,
As we feel the touch of some friendly hand
We will never clasp again.

But we go to our homes with a new-found truth,
That tho time may part and the heavens fall,
The dearest, sweetest thing in life,
Is true friendship after all.

Representative Marshall, chairman of the committee to notify the Senate, reported the duty performed.

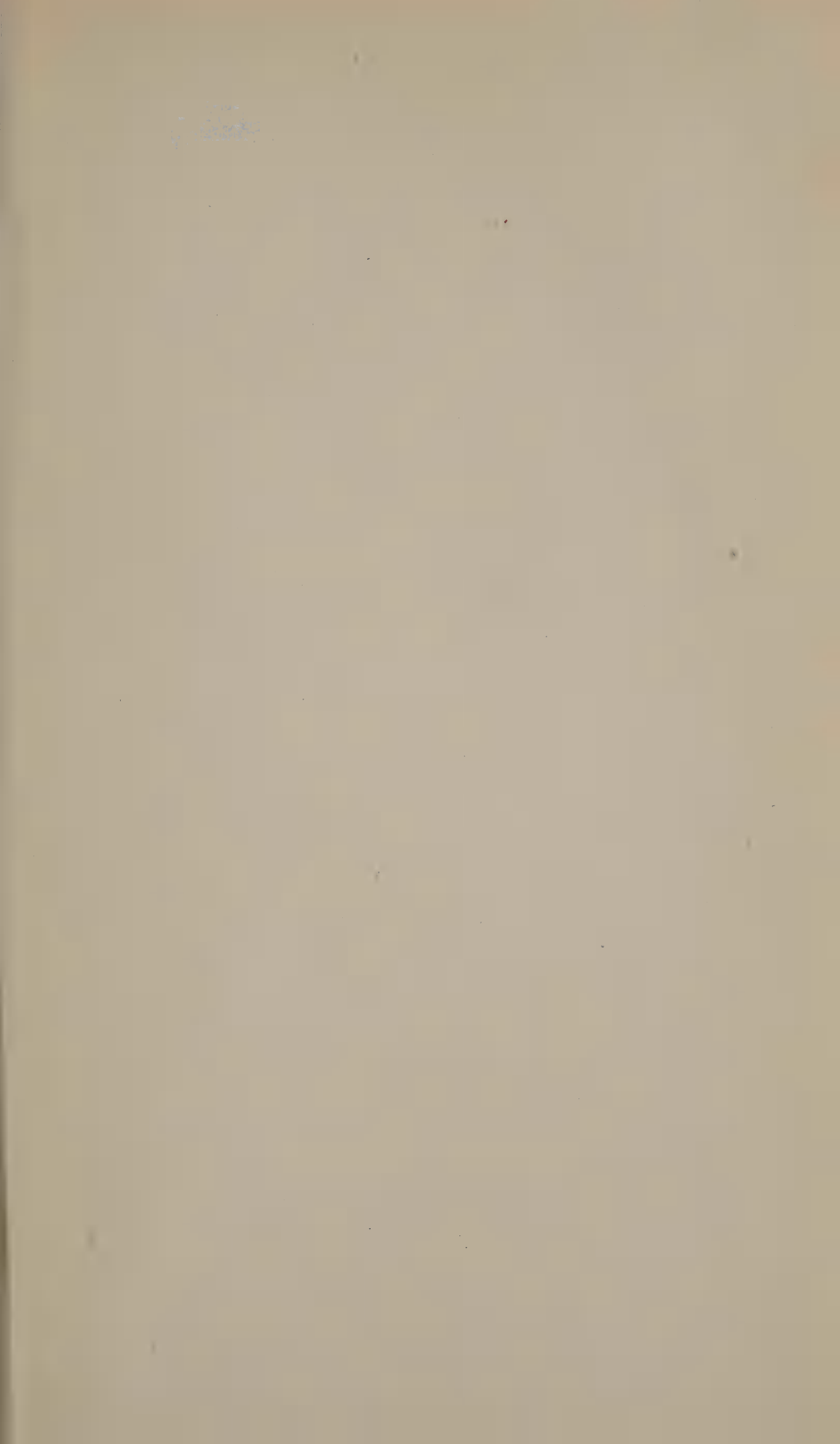
Representative Cavanaugh, chairman of the committee to notify the Governor, reported the duty performed, and that His Excellency, the Governor, desired conveyed to the House his appreciation and thanks for its efforts and wished the members God-speed.

Moved by Bricker, duly seconded and carried; that the House of Representatives of the Twentieth Legislative Assembly to the State of Montana, do now stand adjourned, sine die, at 11:59 p. m., of the sixtieth day.

Attest:

H. J. FAUST, Chief Clerk.

G. T. DAVIS, Speaker.



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